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It will be shown hereafter, that all plants and vegetable structures, undergo two processes of decomposition after death; one of these is named *fermentation*—the other, *putrefaction* or *decay*.

It will also be shown, that decay is a slow process of combustion—a process, therefore, in which the combustible parts of a plant unite with the oxygen of the atmosphere.

The decay of woody fibre (the principal constituent of all plants) is accompanied by a phenomenon of a peculiar kind. This substance, in contact with air or oxygen, converts the latter into an equal volume of carbonic acid, and its decay ceases upon the disappearance of the oxygen. If the carbonic acid is removed, and oxygen replaced, its decay recommences, that is, it again converts oxygen into carbonic acid. Woody fibre consists of carbon and the elements of water; and if we judge only from the products formed during its decomposition, and from those formed by pure charcoal, burned at a high temperature, we might conclude that the causes were the same in both; the decay of woody fibre proceeds therefore, as if no hydrogen or oxygen entered into its composition. A very long time is required for the completion of this process of combustion, and the presence of water is necessary for its maintenance; alkalis promote it, but acids retard it. Woody fibre in a state of decay is the substance called *humus*. The property of woody fibre to convert surrounding oxygen into carbonic acid, diminishes as its decay advances, and at last a brown coal-like substance remains, in which this property is entirely wanting, which is called *common mould*: it is the product of the complete decay of woody fibre, and constitutes the principal part of all the strata of brown coal and peat.

Humus acts in the same manner in a soil permeable to air, as in air itself; it is a continued source of carbonic acid, which it emits very slowly. An atmosphere of carbonic acid, formed at the expense of the oxygen of the air, surrounds every particle of decaying humus. The cultivation of land, by tilling and loosening the soil, causes a free and unobstructed access of air. An atmosphere of carbonic acid is therefore contained in every fertile soil, and is the first and most important food for the young plants which grow in it.

In spring, when those organs of plants are absent, which nature has appointed for the abstraction of nourishment from the atmosphere, the component substance of seeds is employed in the formation of the roots. Each new radical fibril which a plant acquires, may be regarded as constituting at the same time a mouth, a lung, and a stomach. The roots perform the functions of the leaves from the first moment of their formation; they extract from the soil their proper nutriment—namely, the carbonic acid generated by the humus.

By loosening the soil which surrounds young plants, we favor the access of air, and the formation of carbonic acid; and on the other hand, the quantity of their food is diminished by every difficulty which opposes the renewal of air. A plant itself effects this change of air at a certain period of its growth. The carbonic acid, which protects the undecayed humus from further change, is absorbed and taken up by the fine fibres of the roots, this is replaced by air, by which process the decay is renewed, and a fresh portion of carbonic acid formed. A plant at this time receives its food both by the roots and by the organs above ground, and advances rapidly to maturity.

When a plant is quite matured, and when

Oregon Spectator.

"Westward the Star of Empire takes its way."

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Oregon City, (Oregon Ter.) Thursday, June 11, 1846.

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the organs by which it obtains food from the atmosphere are formed, the carbonic acid of the soil is no further required.

Deficiency of moisture in the soil, or its complete dryness, does not now check the growth of a plant, provided it receives from the dew and atmosphere as much as is requisite for the process of assimilation. During the heat of summer it derives its carbon almost exclusively from the atmosphere.

The size of a plant is proportional to the surface of the organs which are destined to convey food to it. The power which roots possess of taking up nourishment does not cease as long as nutriment is present. When the food of a plant is in greater quantity than its organs require for their own perfect development, the superfluous nutriment is not returned to the soil, but is employed in the formation of new organs; at the side of a cell already formed, another cell arises; at the side of a twig and leaf, a new twig and leaf are developed: these new parts could not have been formed, had there not been an excess of nourishment.

Leaves, twigs and branches, when completely matured, as they do not become larger, do not need food for their own support; for their existence as organs, they require only the means necessary for the performance of the special functions to which they are destined by nature; they do not exist on their own account; but they serve for the formation of woody fibre, and all the solid matters of similar composition; and when the woody substance has advanced to a certain extent, the expenditure of the nutriment (the supply of which still remains the same) takes a new direction, and blossoms are produced. The functions of the leaves of most plants cease upon the ripening of their fruit, because the products of their action are no longer needed. They now yield to the chemical influence of the oxygen of the air, generally suffer a change in color, and fall off.

WILLAMETTE, May 22, 1846.

Mr. Editor—You are requested to publish the proceedings of a meeting which was held, pursuant to notice, at Mr. D. Waldo's, for the purpose of organizing a Military Company; when,

On motion, Mr. Keyser was called to the chair, and Mr. Thos. Holt appointed secretary of the meeting.

On motion, the following preamble was read and adopted, to wit:

Whereas the people of Oregon territory are situated remote from, and without the protection of, any government; we, therefore, as members of a free and enlightened community, wishing to preserve the principles and institutions of a free and republican form of government, and being well aware that the body of the people is the only power capable of sustaining such institutions, therefore, we deem it advisable to form ourselves into military bodies, for the purpose of preserving peace and order at home, and preventing aggression from abroad—having this precept before us, that

Eternal vigilance is freedom's price—
Its deadly bane is ignorance and vice.

On motion, it was resolved, that we, as citizens of said territory, in pursuance of this duty, forthwith organize ourselves into a company of Mounted Riflemen, and pledge our-

selves to abide such rules, regulations, and by-laws, as may be adopted by a majority of the company.

On motion, resolved, that this company shall be called "THE OREGON RANGERS."

On motion, the president proceeded to read a code of by-laws for the government of the troop, which was adopted.

After which, about forty-five joined the company, by subscribing their names to the by-laws.

On motion, two committees were appointed to nominate candidates for officers of said company. The result of the election was as follows, to wit:

For Captain, Charles Bennet.
" 1st Lieut. A. A. Robinson.
" 2d " Isaac Hutchins.
" 3d " Hiram English.
" Ord. Sergt. Thos. Holt.
" 2d " Thos. Howell.
" 3d " S. C. Morris.
" 4th " William Herring
" 1st Corp'l. P. C. Keyser.
" 2d " Robert Walker.
" 3d " B. Frost.
" 4th " John Rowe.

On motion, resolved, that the president and secretary sign the proceedings of this meeting, and forward a copy of them to the editor of the Oregon Spectator for publication.

On motion, the meeting adjourned.

T. D. KEYSER, Pres't.

Thos. Holt, Sec'y.

The Philosophy of Marriage.

BY ALFRED CROWQUILL.

Marriage, under any circumstances, is a very ticklish affair.

When the contracting parties do not "hit their horses," they frequently hit each other, and then it is a most disagreeable affair.

When they do harmonize, and one is the echo—the veritable reflexion of the other's thoughts, smiles, and feelings—anticipating every whim and desire, it is a very pleasant affair.

When a "happy couple" display their affection by pats and taps, and little pinches before company—it is a very ridiculous affair.

When the husband throws out aggravating insinuations, and the excited spouse, like Xantippe of old, throws a tea-pot at her lord and master's head, it is a horrible affair.

When the lady rules the roast, and wears the inexpressible look of tyrannical command, and the gentleman tacitly yields to her usurping and unnatural sway—it is a pitiable affair.

When the husband is not content with the sweets of the flower he has culled, but flies abroad, and, like the "little busy bee," goes sipping and "gathering honey" from "every flower"—it is a lamentable affair.

When the lady, forgetful of her vows of constancy and love, "bolts" with a pair of black whiskers, and *ditto* military boots—it is a very naughty affair.

Taking all these reflections into consideration, it must incontestibly appear that—marriage is a very serious affair. And, as marriages are said to be made in heaven, we should advise every candidate not to tie the knot before he obtains a duly authenticated certificate of the original contract!

Similarity of disposition does not always constitute a happy marriage. As in a duet, they may accord beautifully, although they sing different notes. But here the simile ends, or is at fault; for the husband should invariably take the lady's part!

Disparity of age is not a necessary bar to domestic felicity. A man of forty may make a wife of twenty extremely happy. When Plutus presides at the nuptials instead of Cupid, the "match" frequently proves a "lucifer," and the least friction sometimes pro-

duces an explosion that is anything but harmonious or agreeable.

Old women who set themselves up for judges quaintly observe,

Happy's the wooing,
That's not long a-doing.

We are of a different opinion. Love may sometimes cool a little in a protracted courtship, and gradually assume the milder symptoms of a confirmed friendship; but, as in the decoction of roots, a slow simmer is more likely to draw out the virtues than a rapid boil.

In the purchase of a horse or a watch, a trial is allowed; and surely in the choice of a wife some time and consideration ought to be permitted; for, after all, a breach of promise of marriage is a better alternative than a divorce. The one is only probable; the other difficult, and frequently impracticable.

Marriage is like a silk purse—most agreeable to bear when there is plenty of money in it.

Marriage is like a mouse-trap—once get into it, and you are caught, without the least prospect of recovering your liberty.

Marriage is like a "rose-tree in full bearing." How attractive are its flowers! But the bright leaves fall after a season, and the thorns alone remain.

Marriage, among fools, is like a boiled calf's head without the accompaniment of brains.

Marriage is like a roast leg of mutton on Sunday—served up cold on Monday—ditto, with pickles, on Tuesday—and hashed up on Wednesday.

Marriage is the sunshine of life; beneath its genial influence spring up the best affections, and the noblest virtues of man, which in the sterility of selfish celibacy would have lain dormant and useless. It is the source of virtuous pleasure in youth; the balm and solace of old age.

A good wife is, in fine, a priceless jewel; for, as Solomon truly says, "She openeth her mouth with wisdom, and her tongue is the law of kindness; she looketh well to the way of her husband, and catcheth not the bread of idleness; her children rise up and call her blessed; her husband also, and he praiseth her."

The Profits of Agriculture.

There are probably few causes which go farther toward the detriment of agriculture, and the discouragement of willing industry from looking to that great natural employment of man for support for himself and those dependent upon him—setting competency out of view—than the idea that the pursuit of agriculture, especially in new countries, does not adequately compensate for the use of the little capital required to establish it, and for the labor necessary to make that capital productive. But, general as is the opinion, it is as erroneous as it is prevalent. On the contrary, there are few of the legitimate pursuits of industry, the returns of which are more certain or more satisfactory, than are those of the husbandman. If compared with commercial or manufacturing employments, on the score of certainty, agriculture possesses an incalculable advantage; for it is not liable to be vitally, or even materially affected, by the thousand chances which are continually agitating—sometimes for good, but infinitely more frequently for evil—commerce and manufactures, and all other pursuits immediately dependent upon them.—The agriculturist has to look but to "nature and to nature's God" for the earth yielding him a fulness adequate to his care; while the more artificial pursuits with which the world is occupied are dependent not only upon the same natural causes which raise or depress the former, but also upon the countless artificial influences which course through the channels of the great business world, as the blood courses through the human system.

EPICRAM.—To a young lady who requested the author to restore a lock of hair he had taken from her:

By one only recompense, can I be led
With this beautiful ringlet to part,
That should I restore you the lock of your head
You will give me the key of your heart.

Making the most of a Wood Cut.—The wood cut in one of the New York papers, which the editor pretends is a correct likeness of Joe Smith, had previously been used for McLeod, Parson Miller, Babe, the pirate, and the "Razor Strop Man."—*Buffalo Gazette*.



THE SPECTATOR.

H. A. G. LEE, EDITOR.—J. YEMING, PR.

Oregon City, June 11, 1846.

THE LATE ELECTION.

We have not been favored with the official returns of the election at present, but presume the following will be found correct.

REPRESENTATIVES.

For Clackamas County—Hiram Straight, A. L. Lovejoy, W. G. T. Vault.

For Champoug—Angus McDonald, Jesse Looney, Robert Newell, A. Chamberlain.

For Tualaty—Joseph L. Meek, Lawrence Hall, D. H. Lowndale.

For Yam Hill—A. J. Hembree, Thomas Jefferys.

For Clatsop—George Summers.

For Lewis—W. F. Tolmie.

For Vancouver—H. W. Peers.

For Polk—No election.

PRESIDENT POLK'S MESSAGE.

We copy from the London Evening Chronicle of the 24th December, so much of the President's Message as relates to Oregon, not being able to insert the whole of it in the present number. We also learn from the Chronicle that there is a democratic majority in both branches of congress—in the house a majority of nearly two to one—in the senate a majority of six. John W. Davis, of Indiana, is speaker of the house.

From these facts we may reasonably hope that the measures recommended by the President will be promptly carried out, at least so far as to afford us their protection, and establish some regular system of communication between us. The spirit and style of the message are such as will meet a hearty response from every American; and indeed they are such as even a Briton can but admire. All must admit it is high time some decisive measure should be taken to settle, finally, a question of thirty years agitation between the two nations.

My attention was early directed to the negotiation, which, on the 4th March last, I found pending at Washington between the U. States and Great Britain, on the subject of the Oregon territory. Three several attempts had been previously made to settle the question in dispute between the two countries, by negotiation, upon the principle of compromise; but each had proved unsuccessful.

These negotiations took place at London, in the years 1818, 1824, and 1826; the two first under the administration of Mr. Monroe, and the last under that of Mr. Adams. The negotiation of 1818 having failed to accomplish its object, resulted in the convention of the 20th of October of that year. By the 3d article of that convention, it was "agreed, that any country that may be claimed by either party on the northwest coast of America, westward of the Stony mountains, shall, together with its harbors, bays, and creeks, and the navigation of all rivers within the same, be free and open for the term of ten years from the date of the signature of the present convention, to the vessels, citizens, and subjects of the two powers, it being well understood that this agreement is not to be construed to the prejudice of any claim which either of the two high contracting parties may have to any part of the said country; nor shall it be taken to affect the claims of any other power or state to any part of the said country; the only object of the high contracting parties in that respect being, to prevent disputes and differences among themselves."

The negotiation of 1824 was productive of no result, and the convention of 1818 was left unchanged.

The negotiation of 1826, having also failed to effect an adjustment by compromise, resulted in the convention of August the 6th, 1827, in which it was agreed to continue in force for an indefinite period the provisions of the third article of the convention of the 20th of October, 1818; and it was further provided, that "it shall be competent, however, to either of the contracting parties, in case either should think fit, at any time after the 20th of October, 1828, on giving due notice of twelve months to the other contracting party, to annul and abrogate this convention; and it shall, in such case, be accordingly entirely annulled and abrogated after the said term of notice." In these attempts to adjust the controversy, the parallel of the forty-ninth degree of north latitude had been offered by the United States to Great Britain, and in

those of 1818 and 1826, with a further concession of the free navigation of the Columbia river south of that latitude. The parallel of the forty-ninth degree from the Rocky mountains to its intersection with the north-easternmost branch of the Columbia, & thence down the channel of that river to the sea, had been offered by Great Britain, with an addition of a small detached territory north of the Columbia. Each of these propositions had been rejected by the parties respectively.

In October, 1843, the envoy-extraordinary and minister plenipotentiary of the U. States in London was authorised to make a similar offer to those made in 1818 and 1826. Thus stood the question when the negotiation was shortly afterwards transferred to Washington; and, on the 23d of August, 1844, was formally opened, under the direction of my immediate predecessor. Like all the previous negotiations, it was based upon principles of "compromise;" and the avowed purpose of the parties was "to treat of the respective claims of the two countries to the Oregon territory, with the view to establish a permanent boundary between them westward of the Rocky mountains to the Pacific ocean." Accordingly, on the 26th of August, 1844, the British plenipotentiary offered to divide the Oregon territory by the forty-ninth parallel of north latitude, from the Rocky mountains to the point of its intersection with the north-easternmost branch of the Columbia river, and thence down that river to the sea; leaving the free navigation of the river to be enjoyed in common by both parties—the country south of this line to belong to the United States, and that north of it to Great Britain. At the same time, he proposed, in addition, to yield to the United States a detached territory, north of the Columbia, extending along the Pacific and the Straits of Fuca, from Bullfinch's harbor inclusive to Hood's canal, and to make free to the United States any port or ports south of latitude 49 degrees which they might desire, either on the main land or on Quadra and Vancouver's island. With the exception of the free ports, this was the same offer which had been made by the British, and rejected by the American government in the negotiation of 1826. This proposition was properly rejected by the American plenipotentiary on the day it was submitted. This was the only proposition of compromise offered by the British plenipotentiary. The proposition on the part of Great Britain having been rejected, the British plenipotentiary requested that a proposal should be made by the United States for "an equitable adjustment of the question."

When I came into office I found this to be the state of the negotiation. Though entertaining the settled conviction that British pretensions of title could not be maintained to any portion of the Oregon territory upon any principle of public law recognized by nations, yet, in deference to what had been done by my predecessors, and especially in consideration that propositions of compromise had been thrice made by two preceding administrations, to adjust the question on the parallel of forty-nine degrees, and in two of them yielding to Great Britain the free navigation of the Columbia, and that the pending negotiation had been commenced on the basis of compromise, I deemed it to be my duty not abruptly to break it off. In consideration, too, that under the conventions of 1818 and 1827, the citizens and subjects of the two powers held a joint occupancy of the country, I was induced to make another effort to settle this long-pending controversy in the spirit of moderation which had given birth to the renewed discussion. A proposition was accordingly made, which was rejected by the British plenipotentiary, who, without submitting any other proposition, suffered the negotiation on his part to drop, expressing his trust that the United States would offer what he saw fit to call "some further proposal for the settlement of the Oregon question more consistent with fairness and equity, and with the reasonable expectations of the British government." The proposition thus offered and rejected repeated the offer of the parallel of forty-nine degrees of north latitude, which had been made by two preceding administrations, but without proposing to surrender to Great Britain, as they had done, the free navigation of the Columbia river. The right of any foreign power to the free navigation of any of our rivers, through the heart of our country, was one which I was unwilling to concede. It also embraced a provision to make free to Great Britain any port or ports on the Cape of Quadra and Vancouver's island, south of

this parallel. Had this been a new question, coming under discussion for the first time, this proposition would not have been made. The extraordinary and wholly inadmissible demands of the British government, and the rejection of the proposition made in deference alone to what had been done by my predecessors and the implied obligation which their acts seemed to impose, afford satisfactory evidence that no compromise which the United States ought to accept can be effected. With this conviction, the proposition of compromise which had been made and rejected, was, by my direction, subsequently withdrawn, and our title to the whole Oregon territory asserted, and, as is believed, maintained by irrefragable facts and arguments.

The civilized world will see in these proceedings a spirit of liberal concession on the part of the United States; and this government will be relieved from all responsibility which may follow the failure to settle the controversy.

All attempts at compromise having failed, it becomes the duty of congress to consider what measures it may be proper to adopt for the security and protection of our citizens now inhabiting, or who may hereafter inhabit Oregon, and for the maintenance of our just title to that territory. In adopting measures for this purpose care should be taken that nothing be done to violate the stipulations of the convention of 1827, which is still in force. The faith of treaties in their letter and spirit has ever been, and I trust will ever be, scrupulously observed by the United States. Under that convention a year's notice is required to be given by either party to the other before the joint occupancy shall terminate, and before either can rightfully assert or exercise exclusive jurisdiction over any portion of the territory. This notice it would, in my judgment, be proper to give, and I recommend that provision be made by law for giving it accordingly, and terminating in this manner the convention of the 6th of August, 1827.

It will become proper for congress to determine what legislation they can, in the mean time, adopt without violating this convention. Beyond all question, the protection of our laws and our jurisdiction, civil and criminal, ought to be immediately extended over our citizens in Oregon. They have had just cause to complain of our long neglect in this particular, and have, in consequence, been compelled, for their own security and protection, to establish a provisional government for themselves. Strong in their allegiance and ardent in their attachment to the U. States, they have been thus cast upon their own resources. They are anxious that our laws should be extended over them, and I recommend that this be done by congress with as little delay as possible, in the full extent to which the British Parliament have proceeded in regard to British subjects in that territory, by their act of July 2d, 1821, "for regulating the fur trade and establishing a criminal and civil jurisdiction within certain parts of North America." By this act Great Britain extended her laws and jurisdiction, civil and criminal, over her subjects engaged in the fur trade in that territory. By it the courts of the province of Upper Canada were empowered to take cognizance of causes civil and criminal. Justices of the peace and other judicial officers were authorized to be appointed in Oregon, with power to execute all process issuing from the courts of that province, and to "sit and hold courts of record for the trial of criminal offences and misdemeanors" not made the subject of capital punishment, and also of civil cases, where the cause of action shall not "exceed in value the amount or sum of two hundred pounds."

Subsequent to the date of this act of Parliament, a grant was made from the "British crown" to the Hudson's Bay Company, of the exclusive trade with the Indian tribes in the Oregon territory, subject to a reservation that it shall not operate to the exclusion "of the subjects of any foreign states who, under or by force of any convention for the time being, between us and such foreign states respectively, may be entitled to, and shall be engaged in, the said trade."

It is much to be regretted, that, while under this act British subjects have enjoyed the protection of British laws and British judicial tribunals throughout the whole of Oregon, American citizens, in the same territory, have enjoyed no such protection from their government. At the same time, the result illustrates the character of our people and their

institutions. In spite of this neglect, they have multiplied, and their number is rapidly increasing in that territory. They have made no appeal to arms, but have peacefully fortified themselves in their new homes, by the adoption of republican institutions for themselves; furnishing another example of the truth that self-government is inherent to the American breast, and must prevail. It is due to them that they should be embraced and protected by our laws.

It is deemed important that our laws regulating trade and intercourse with the Indian tribes east of the Rocky mountains should be extended to such tribes as dwell beyond them.

The increasing emigration to Oregon, and the care and protection which is due from the government to its citizens in that distant region, make it our duty, as it is our interest, to cultivate amicable relations with the Indian tribes of that territory. For this purpose, I recommend that provision be made for establishing an Indian agency, and such sub-agencies as may be deemed necessary, beyond the Rocky mountains.

For the protection of emigrants whilst on their way to Oregon, against the attacks of the Indian tribes occupying the country through which they pass, I recommend that a suitable number of stockades and block-house forts be erected along the usual route between our frontier settlements on the Missouri and the Rocky mountains; and that an adequate force of mounted riflemen be raised to guard and protect them on their journey. The immediate adoption of these recommendations by congress will not violate the provisions of the existing treaty. It will be doing nothing more for American citizens than British laws have long since done for British subjects in the same territory.

It requires several months to perform the voyage by sea from the Atlantic states to Oregon; and although we have a large number of whale ships in the Pacific, but few of them afford an opportunity of interchanging intelligence, without great delay, between our settlements in that distant region and the United States. An overland mail is believed to be entirely practicable; and the importance of establishing such a mail, at least once a month, is submitted to the favorable consideration of congress.

It is submitted to the wisdom of congress to determine whether, at their present session, and until after the expiration of the year's notice, any other measures may be adopted, consistently with the convention of 1827, for the security of our rights and the government and protection of our citizens in Oregon. That it will ultimately be wise and proper to make liberal grants of land to the patriotic pioneers, who, amidst privations and dangers, lead the way through savage tribes inhabiting the vast wilderness intervening between our frontier settlements and Oregon, and who cultivate, and are ever ready to defend the soil, I am fully satisfied. To doubt whether they will obtain such grants as soon as the convention between the United States and Great Britain shall have ceased to exist, would be to doubt the justice of congress; but, pending the year's notice, it is worthy of consideration whether a stipulation to this effect may be made, consistently with the spirit of that convention.

The recommendations which I have made, as to the best manner of securing our rights in Oregon, are submitted to congress with great deference. Should they, in their wisdom, devise any other mode better calculated to accomplish the same object, it shall meet with my hearty concurrence.

At the end of the year's notice, should congress think it proper to make provision for giving that notice, we shall have reached a period when the national rights in Oregon must either be abandoned or firmly maintained. That they cannot be abandoned without a sacrifice of both national honor and interest is too clear to admit of a doubt.

Oregon is a part of the North American continent, to which it is confidently affirmed the title of the United States is the best now in existence. For the grounds on which that title rests, I refer you to the correspondence of the late and present secretary of state with the British plenipotentiary during the negotiation. The British proposition of compromise, which would make the Columbia the line south of forty-nine degrees, with a trifling addition of detached territory to the U. States, north of that river, and would leave on the British side two-thirds of the whole Oregon territory, including the free navigation of the Columbia and all the valuable

harbors on the Pacific, can never for a moment be entertained by the United States, without an abandonment of their just and clear territorial rights, their own self-respect, and the national honor. For the information of congress, I communicate herewith the correspondence which took place between the two governments during the late negotiation.

The rapid extension of our settlements over our territories heretofore unoccupied; the addition of new states to our confederacy; the expansion of free principles, and our rising greatness as a nation, are attracting the attention of the powers of Europe; and lately the doctrine has been broached in some of them, of a "balance of power" on this continent, to check our advancement. The United States, sincerely desirous of preserving relations of good understanding with all nations, cannot in silence permit any European interference on the North American continent, and should any such interference be attempted, will be ready to resist it at any and all hazards.

It is well known to the American people and to all nations, that this government has never interfered with the relations subsisting between other governments. We have never made ourselves parties to their wars or their alliances; we have not sought their territories by conquest; we have not mingled with parties in their domestic struggles; and believing our own form of government to be the best, we have never attempted to propagate it by intrigues, by diplomacy, or by force. We may claim on this continent a like exemption from European interference. The nations of America are equally sovereign and independent with those of Europe. They possess the same rights, independent of all foreign interposition, to make war, to conclude peace, and to regulate their internal affairs. The people of the United States cannot, therefore, view with indifference attempts of European powers to interfere with the independent action of the nations on this continent. The American system of government is entirely different from that of Europe. Jealousy among the different sovereigns of Europe, lest any one of them might become too powerful for the rest, has caused them anxiously to desire the establishment of what they term the "balance of power." It cannot be permitted to have any application on the North American continent, and especially to the U. States. We must ever maintain the principle, that the people of this continent alone have the right to decide their own destiny. Should any portion of them, constituting an independent state, propose to unite themselves with our confederacy, this will be a question for them and us to determine, without any foreign interposition. We can never consent that European powers shall interfere to prevent such a union, because it might disturb the "balance of power" which they may desire to maintain upon this continent. Near a quarter of a century ago, the principle was distinctly announced to the world in the annual message of one of my predecessors, that "the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European power." This principle will apply with increased force, should any European power attempt to establish any new colony in North America. In the existing circumstances of the world, the present is deemed a proper occasion to reiterate and reaffirm the principle avowed by Mr. Monroe, and to state my cordial concurrence in its wisdom and sound policy. The re-assertion of this principle, especially in reference to North America, is at this day but a promulgation of a policy which no European power should cherish the disposition to resist. Existing rights of every European nation should be respected, but it is alike due to our safety and our interests that the efficient protection of our laws should be extended over our whole territorial limits, and that it should be distinctly announced to the world, as our settled policy, that no future European colony or dominion shall, with our consent, be planted or established on any part of the North American continent.

Congress of the United States.

Correspondence of the N. York Journal of Commerce. WASHINGTON, Wednesday, Jan. 21, 1846.

There was much opposition to Mr. Slidell's nomination as minister to Mexico, but it was confirmed by a strictly party vote.

There was a debate in the senate to-day on the bill to augment the navy, which was

called up by Mr. Fairfield. The general expression of opinion in the senate was favorable to the continuance of peace. The war feeling, if there has been any, is considered an absurdity. Mr. Fairfield's object was to assign a day for the consideration of the bill, but Mr. Speight, Mr. Allen, and Mr. Sevier, were opposed to it, unless it should appear that we were to have war, in which case a much larger appropriation would be necessary.

It was said that if the bill was pressed now, it would be lost. Some wished to postpone it till the Oregon Notice Bill came up, and others to lay it upon the table.

Mr. Yulee, Mr. Westcott, and Mr. J. M. Clayton advocated the bill, as an economical mode of increasing the navy, and a necessary addition to its efficiency for sea coast and harbor defence, without reference to the question of war or peace.

Mr. J. M. Clayton remarked that Mr. Sevier had expressed the opinion a few weeks ago that war was inevitable. He would like to know if the gentleman had changed his opinion, and for what reason: but if he was of the same opinion now, why should he oppose the measure for preparation?

Mr. Sevier replied, that he had found that the senate would not pass the Notice, and that nothing would be done to sustain the President on the Oregon question. As proof of this, two of the motions of the Chairman of the Committee on Foreign Affairs had been rejected. Of course, if we took no measures upon the subject, there would be no war.

Mr. Allen said that Great Britain was content with the present state of things. If we did nothing, we should enjoy the fruits of our "masterly inactivity."

Mr. Hannegan would not believe, he said, that the Notice would fail to pass the senate. He regarded it as the only means by which peace could be permanently secured. He was in favor of peace, and therefore of the Notice. He was tired of blustering war speeches, and wanted to see some action on this subject. He was in favor of augmenting the Navy without reference to war.

Mr. Calhoun was pleased to hear the sentiments expressed in this debate. He, too, like the senator from Indiana, was in favor of an honorable peace; and he was glad to learn from the Hon. Chairman of Foreign Affairs, that the "masterly inactivity" would maintain peace. Yes, said Mr. Allen, by giving up everything.

The bill was postponed to next Tuesday. Mr. Bagby introduced a short resolution, increasing the term of the president and vice president of the U. States to six years, and rendering the president ineligible for more than one term.

Also providing that no member of congress shall be eligible during the term for which he was elected, or four years after; and that no member during his term shall be appointed to the head of an executive department.

Mr. Dix reported a bill establishing a warehousing system.

The house was engaged all day on the Florida contested election.

WASHINGTON, Thursday, Jan. 22.

Mr. Allen made an explanation of some remarks which he made yesterday, as to the probability of a war. He did not believe that Great Britain would declare war on account of Oregon. If she declared war, it would be for some other and special state reason.

The entire and thorough defeat and annihilation of the "war party"—if any there was—in the senate, is a matter worthy of remark.

I know it is denied that there was any war party. It was not popular to deny that at first. Now, all are forward to deny that they ever countenanced the idea that the question would lead to war; or that the measures proposed by the administration would lead to war.

For the Spectator.

Mr. Editor.—In Mr. Parker's address to the electors of Clackamas county, delivered at the meeting lately held in Oregon City, as reported in the Spectator of the 28th May, I observe that he is pleased to point out "Mr. Douglas, a judge of the county court, who, he understood, was in the habit of selling ardent spirits." This may have suited Mr. Parker's purpose, while attempting to establish a position, which appears to be a favorite with him, "that the oath of office binds a man to do just as he pleases;" as it has never been supposed that I admire the mode of illustration he has chosen, and as I also happen to entertain a very different opinion, touching the force and propriety of that oath, I hope it will not be considered a breach of courtesy on my part, to offer through the medium of your respectable paper, a direct and unqualified denial of this charge of rum selling, in the only sense it is plainly meant to be received, and can be considered as at all applicable to the subject in question.

As a particular favor I ask Mr. Parker to bring forward a single proof in support of the assertion he has so wantonly advanced, I refer him to all his fellow-citizens: I ask him to search the country from one extremity to the other, and to put the question to each individual member of the community, with the absolute certainty, that not one person will be found, who ever purchased ardent spirits from Mr. Douglas.

A stranger in the country, evidently unacquainted with its early history, Mr. Parker may not have been informed that the members of the Hudson's Bay Company have, for many years past, uniformly discouraged intemperance by every means in their power, and have also made great and repeated pecuniary sacrifices to prevent the sale of ardent spirits in the country; an article, moreover, which forms no part of their trade, either with the white man or the Indian.

Mr. Parker does not indeed pretend to speak from his own personal experience of the fact, but on the authority of others; and should any doubt still linger in his mind, with respect to the correctness of what I have just said, he may perhaps have no objections to seek other means of arriving at the truth. Suppose, for instance, he was to try the experiment of negotiating a purchase, I venture to predict he would soon be convinced that Mr. Douglas is not in the habit of selling ardent spirits.

But let us enquire a little further into this matter: what can have induced a person of character to hazard an observation in public which he must have known would, if false, be as openly exposed. Mr. Parker must have had some grounds for his assertion—he may possibly have heard, or he may have supposed that Her Majesty's Ship "Modeste" was daily receiving supplies at Fort Vancouver. If, with reference to these supplies, he had told his hearers that Her Majesty's Ship "Modeste," now stationed at Fort Vancouver, had, with other supplies for ship use, from the stores of the Hudson's Bay Company, received several casks of rum; or if, referring to the H. B. Company's own ships, he had stated that a small allowance of spirits is daily served out to the crews of the company's vessels, and that other clauses of the company's servants, according to long established usage, receive on certain rare occasions, a similar indulgence, he would have told the plain and simple truth, and his statement would not this day have been called in question by me.

These acts, which I fully admit, and would, on no account attempt to conceal, cannot by the fair rules of construction, be considered as infringing upon any law recognized by the compact, which we have agreed to support, in common with the other inhabitants of Oregon. The framers of these laws, with a degree of wisdom and foresight, which does them honor, never entertained the idea that a person in becoming a member of the compact, thereby relinquished his distinctive national character. On the contrary, British subjects and citizens of the United States, casting aside every shadow of illiberal prejudice, extended to each other the right hand of good fellowship, for the purpose of mutual protection, to secure the peace, and promote the prosperity of the country, until protected by their respective governments. The compact was formed and perfected upon that principle, and can rest, with security, on no other foundation.

We are pledged, and do faithfully intend to support the Organic Laws. They do not bind us to violate pre-existing engagements with our servants, nor to withhold from the officers of our government supplies of whatsoever kind the Hudson's Bay Company's stores can provide. In the high character of the latter, we enjoy the fullest security against abuse to the detriment of the country. With all other parties we have most rigidly, and shall continue to enforce the prohibitory statutes of Oregon.

My wish, in addressing you, Mr. Editor, is to set Mr. Parker right in respect to this matter of rum selling, and the public may rest assured that, if my wishes could influence the community, there would never be a drunkard in Oregon. JAMES DOUGLAS.

MARRIED.—On the 10th ult., by the Rev. William Liggitt, Mr. ISAAC STAATS, formerly of N. York and late of Platte county, Mo., to Miss ORLENA MARIA, eldest daughter of James E. Williams, Esq., late of Jefferson county, Tenn.

Shipping Intelligence.

COLUMBIA RIVER—VANCOUVER.

JUNE 3.—Arrived, Hon Hudson's B. Co's schooner Cadboro', Capt. Scarborough, from Fort Victoria.

Sailed, H. B. Co's Clipper Victoria, Capt. Johnston, for the Cascades. Calipoolah, Capt. Cook, for Oregon City.

In harbor, H. B. M. S. Modeste, Capt. Baillie; H. B. Co's Barque Columbia, Capt. Duncan, and Cadboro. Building, H. B. Co's schooner Prince Albert—about to be launched.

WILLAMETTE RIVER—OREGON CITY.

Arrived, 4th inst., Calipoolah, Captain Cook, from Vancouver.

Sailed, on the 5th, Calipoolah, for Portland.

" " 6th, the Salt River Packet, Captain Gray, for Clatsop, with a number of passengers.

Arrived, on the 7th inst., Calipoolah, Captain Cook, from Portland.

The Callapoolah for Sale.

Captain Aaron Cook having determined to quit the river for a time, offers to sell his well-known and excellent sailing schooner "Callapoolah." For terms and particulars, call on Capt. Cook on board. If no private sale be effected before the 15th of July, the above named craft will, on that day, be offered at public auction, in Oregon City.

May 28, 1846—9td

Farm for Sale.

The subscriber offers his valuable claim, in Tualaty plains, for sale. There are on the claim 60 acres in cultivation, under a good fence, with a log-cabin thereon, and also timber for a framed dwelling and barn, a quantity of shingles, &c. Persons wishing to purchase a good farm, will do well to visit the above, as it will be sold on good terms.

May 28, 1846—9td A. COOK.

CITY HOTEL,

BY H. M. KNIGHTON,

Oregon City.



The traveling community are respectfully invited to call. The City Hotel is undergoing repairs, and the proprietor feels safe in saying that when completed, his customers will feel more comfortable, as every necessary attention will be rendered to make them so. His table shall not be surpassed in the territory. Those who favor him with a call from the west side of the river, will receive horse ferrage free. Jan. 30, 1846—11f

Tavern and Tannery.



NOTICE is hereby given to the citizens of Oregon, that the undersigned is now occupying the stand formerly kept by Mulky, on the west side of the river, and hopes to give general satisfaction to all who may call on him. Terms—Ready pay, 25 cents per meal. Price for horse over night, 75 cents. All kinds of produce will be received for the same.

Also, 1,000 Hides Wanted, which he will tan on shares, or cash or more pay will be given. Hides will be received at any time at the above stand. C. D. SMITH.

Multnomah City, April 30, 1846—7tf

Farm for Sale.



The subscriber hereby notifies the public generally, and those in particular who wish to purchase an improved claim, in an eligible part of the country, that his claim is now offered for sale. Said claim lies on the Wallace Prairie, adjoining Jas. Force and Jno. Ford, formerly known as B. Del Cour's claim, having a log cabin and a French barn, and also another set of logs for a cabin, which was once put up, and has been removed, and about two hundred acres enclosed, and about sixty acres of that old land, upon it. Said claim is about 3 miles from the Salem mills, and 4 miles from the Oregon Institute. Terms reasonable, and conditions easy. For further particulars, enquire of the subscriber at Salem mills. JNO. B. MCCLANE.

March 19, 1846—4tf

Blacksmithing.

NELSON & McDONALD,



HAVING rented Mr. H. Burns' old stand in Multnomah City, on the west side of the Willamette river, are now ready to supply their friends and customers with all kinds of manufactured iron and steel. They have a large stock of assorted iron and steel on hand, which will enable them to supply all orders in their line with despatch. They have now on hand a number of Diamond and Cary Plows of the best quality, axes, drawing knives, mortising chisels, and edge tools of all kinds, warranted to carry a good edge, or no charge. All of which will be sold at a moderate price for good pay.

Customers coming from the east side of the Willamette river to our shop for iron work, will be ferried free of charge. Feb. 19, 1846—11f

Hat Manufactory,

Oregon City:

JOHN TRAVERS & WM. GLASER,



HAVING associated themselves together in manufacturing Hats at Oregon City, are now ready to supply their friends and customers with hats manufactured in Oregon. Although the profits are small, they confidently hope, by their prompt attention to business, to be able to furnish hats to the Oregon citizens at reduced prices.

Wool, beaver, otter, raccoon, wildcat, muskrat, mink, prairie wolf, and fox skins will be taken in exchange for hats. February 5, 1846—11f

Plows! Plows! Plows!

\$10,000 Reward for every one to attend to his own business.



THE subscriber begs leave to inform the public at large, that he has established himself in the Blacksmithing in general, in Oregon City, where he will keep on hand an assortment of Plows, which cannot be surpassed in the States. Persons wishing to purchase plows, can be accommodated with them, finished or unfinished. Also, Patent Patch Forks, Hoes, Axes, and all kinds of mechanics' tools. As the subscriber has had long experience in machinery, he feels himself competent to execute all kinds of mill work, shingle machines, and thrashing machines of the best approved patents.

Gentlemen wishing to purchase any of the above articles, will do well to call and examine for themselves on Main street, Oregon City.

D. C. INGLES.

February 19, 1846—2tf

JEFFERSON INSTITUTE



IS located in the Rickreall Valley, one mile west of the residence of Col. N. Ford. The first session of this school will commence on the second Monday of next April, and continue twenty-four weeks.

Scholars from a distance, can be accommodated with boarding in the neighborhood. Terms of tuition, \$3 per scholar. J. E. LYLE, Teacher.

March 7, 1846—4tf

N. Ford, Jas. Howard, Wm. Beagle, Trustees.

The Oregon Spectator.



TERMS.—Five dollars in advance; if not paid until the expiration of three months, six dollars, and if not paid at the expiration of six months, the directors reserve the right to discontinue.

Advertisements inserted at one dollar and fifty cents per square of sixteen lines or less, for the first insertion, and seventy-five cents for each subsequent insertion. A liberal deduction to yearly advertisers.

All kinds of JOB WORK handsomely executed at the shortest notice—payment in advance.

BY AUTHORITY.

AN ACT to establish Courts, and prescribe their powers and duties.—Continued

§ 128. Arrests of judgment, and new trials, when moved for by the defendant, may be allowed by the court. In such cases the same rules as are pursued in civil cases shall be followed as nearly as practicable.

§ 129. No judgment shall be arrested, revised, or in any way affected, in consequence of any defect in the indictment, which might have been amended, or to which a plea in abatement would have lain upon the trial.

§ 130. A copy of the indictment, together with a minute of the acquittal or conviction, and the judgment or sentence of the court thereon, the whole duly certified by the clerk of the proper court under his seal of office, shall be evidence, in all courts, and places, of such conviction or acquittal.

§ 131. Where, in case of conviction upon indictment, a pecuniary fine constitutes any portion of the sentence, the court may direct the defendant to stand committed until the fine is paid, or the fine may be collected by execution as in civil cases.

§ 132. Where any latitude is left as to the amount of punishment for any offence, the jury who try the offender shall in all cases fix the amount of punishment; and where, from inadvertence, a point material to the prosecution or defence of a cause has been omitted to be proved, the court may direct witnesses to be called to prove that point, at any time before the jury retire to consider their verdict.

§ 133. The court may allow the jury to separate for the purpose of obtaining sleep and refreshment, having first charged them to hold no conversation relative to the pending trial.

§ 134. Offenders who are found guilty shall be liable for all the costs of the trial, including the fees of the witnesses on the part of the prosecution. And where the prosecution fails, the costs, including the fees of the defendant's witnesses, shall be paid by the county. The witnesses in these cases shall prove their attendance, and obtain from the clerk of the court a certificate thereof, and the amount of compensation due them, which shall be allowed by the court.

CRIMINAL COURT.

§ 1. A court to be styled the "Criminal Court," shall be held at Oregon City, on the second Mondays of June and September annually, for the trial of indictments, found in the county courts, for crimes and misdemeanors, the punishment of which is corporeal, or by fine exceeding one hundred dollars.

§ 2. The judge of the supreme court shall be ex-officio judge of the criminal court; and shall receive the sum of two hundred dollars annually, to be paid in quarterly payments, as a full compensation for his services.

§ 3. It shall be the duty of the clerk of the criminal court forthwith after the filing of indictments in his office, as required in the 83d section of the law on county courts, to issue his writs thereon directed to the marshal of the territory.

§ 4. Call sessions may be held at any time for the trial of criminals in confinement; at least ten days previous notice thereof shall be given by the judge to the prosecuting attorney, and to the criminal or criminals to be tried at such session.

SUPREME COURT.

§ 1. The supreme court, in addition to the powers conferred by the articles of compact, shall have power to direct the form of writs and process, and of directing inferior courts in all things relative to their duties.

§ 2. The sessions of the supreme court shall be held at Oregon City, until otherwise directed.

CERTIFICATE.

I, JAMES E. LONG, Secretary of Oregon Territory, do hereby certify that the foregoing "Act to establish courts, and prescribe their powers and duties," is an accurately printed copy from the original, truly and correctly revised by me, and now on file in my office.

J. E. LONG, Secretary.

COSTS AND FEES.

An act concerning costs and fees.

§ 1. Hereafter the fees for recording any deed, mortgage, or other instrument required to be recorded, shall be paid at the time of presentment for record, if required by the recorder; and all fees shall be paid by the party requiring the services, on the same being rendered, and the bill of particulars presented, if required; and for all services required to be performed by law, and not here-

in enumerated, the officer performing the same shall be allowed such reasonable fees as the supreme or county courts may tax therefor.

§ 2. That in all civil cases at law, unless otherwise provided, the party in whose favor judgment is given shall recover costs, and the supreme court, county courts, and justices courts respectively, may give or refuse costs at their discretion upon all motions.

§ 3. In all prosecutions in the name of Oregon territory, or of an individual, for the breach of any law of this territory, where judgment is rendered against the defendant, such defendant shall be liable for costs.

§ 4. When any prosecution, instituted in the name of the territory of Oregon, or of individuals, for breaking any laws of this territory, shall fail, the court shall determine, from the circumstances of the case, whether the prosecutor, the county, or the territory, shall pay the costs; and where the defendant shall prove insolvent, escape, or be unable to pay the fees when convicted, the fees shall be paid out of the territorial treasury.

§ 5. In all cases where an officer in the execution of his office, shall be required to write or set up an advertisement, such officer shall be allowed therefor (if not otherwise provided) twenty-five cents each; and if any advertisement is required to be published in a newspaper, the money therefor shall be paid by the party, and taxed in the bill of costs.

§ 6. Every officer, whose fees are herein ascertained, limited, and appointed, shall publish and set up in his office fair tables of his fees, according to this act, within six months after the passage thereof, in some conspicuous part, for the inspection of all persons who have business in such office, upon pain of forfeiting, for each day the same shall be missing through such officer's neglect, a sum not exceeding two dollars, which may be recovered by action of debt in the name of any person, before any justice of the peace of the proper county.

§ 7. If any officer shall wilfully or corruptly take greater fees than are expressed and limited by this act, for any service to be done by him in his office, or if any person shall charge or demand, or take any of the fees herein ascertained, where the business for which such fees are chargeable shall not have been actually done and performed, such officer, for every such offence, shall, on conviction thereof before any justice of the peace of the proper county, forfeit and pay a sum not exceeding fifty dollars: *Provided*, That nothing in this act shall be construed as to prevent clerks from taxing in the bill of costs, to be recovered by the successful party, the fee for making up records.

§ 8. It shall be lawful for any person to refuse payment of fees to any officer, who shall not have made out and presented a bill of the particulars, signed by him, and on payment, such officer shall, if required, give a receipt therefor.

§ 9. The travelling fees to a witness, together with the fees for one day's attendance, shall, in all civil cases, be paid to him, if required, before he shall be liable for any penalty for non-attendance; and after he shall have attended two days, the fees for one day's attendance shall be paid to him, if required, on or before the succeeding day, and so from day to day, for as many days as he may be required to attend.

§ 10. In cases where there is a confession of judgment at the first term, or where the cause is settled by the parties before or during the first term, the whole fees to the clerk, after the return of the writ, shall not exceed one dollar and fifty cents, and the whole fees to the sheriff, after the return of the writ, shall not exceed fifty cents.

§ 11. Every citizen of this territory shall have free access to all public records, without being taxed any fee therefor.

§ 12. The expense incurred in providing well bound books for the use of the county and probate courts, shall be paid out of the county treasury; and for the use of the supreme court, out of the territorial treasury.

§ 13. The county courts may, if necessary, make an order to command any number of constables, not to exceed three, to attend said courts, to be entitled to the same fees as sheriffs for like services.

§ 14. The fees and compensation to the several officers and other persons hereinafter mentioned, shall be as follows, and no more,

CLERKS' FEES IN CIVIL CASES.
For issuing and sealing every writ, not comprising more than 300 words, . . . 62½

For each additional folio of 100 words, . . . 12½
Docketing a case first time, . . . 18½
Docketing a case thereafter, . . . 12½
Entering suit without process, . . . 31½
Filing every paper in any one suit, each, . . . 6½
Entering an appearance, to be charged but once against each party to a suit, . . . 12½
Issuing bail piece when required, . . . 25
Entering special bail, . . . 25
Swearing and empanneling a jury, . . . 50
All entries relative to the trial not hereinafter specially provided for, . . . 25
Administering an oath or affirmation to each witness on trial, . . . 6½
Recording a verdict, . . . 18½
Entering every judgment, . . . 50
Recording a special verdict, for every sheet of 100 words, . . . 12½
Attending on striking a special jury, and delivering copies, . . . 50
Entering satisfaction on the record, . . . 12½
Entering issue joined, . . . 12½
Issuing writ of execution, . . . 25
Taxing costs, . . . 37½
Entering *exoneretur*, . . . 12½
Entering surrender, . . . 12½
Copy of a rule of reference, . . . 31½
Signing the final record in each case, . . . 12½
A commission to take depositions, . . . 37½
All the motions in one suit, . . . 18½
All the rules in any one suit, . . . 18½
Each continuance, . . . 6½
The *venire facias*, . . . 37½
Entering every motion distinct from an action, not to include the ordinary motions in a suit, . . . 12½
Making a complete record in each cause, for every 100 words, . . . 12½
Every certificate, . . . 25
The seal when required, . . . 12½
Every subpoena for one or more witnesses, . . . 18½
A search of the records, if a copy be not required, (suitors and officers of the court excepted,) . . . 12½
Filing the record upon an appeal, writ of error, *supersedeas*, *certiorari*, or *habeas corpus*, . . . 18½
Taking security upon writ of error, *supersedeas*, or appeal, . . . 18½
Entering a writ of *habeas corpus*, writ of error, or *certiorari*, and for the return thereof, . . . 50
For assessment of damages on any reference made to him, . . . 37½
A subpoena in chancery, . . . 50
Filing each bill, answer, replication, or other pleading in chancery, . . . 6½
An order to advertise, . . . 37½
Copy of a paper not herein otherwise provided for, for every 100 words, . . . 12½
Taking a recognizance, . . . 25
Entering transcript of justice's judgment, . . . 25
Entering an appeal from justice or justices, . . . 37½
Administering each oath, other than on the trial of a cause, . . . 12½
Certificate for jurors or constables' pay, to be paid by the county, each, . . . 12½
Filing all election returns at each general election, to be paid by the county, . . . 1 00
Calling recognizance and entering forfeiture, . . . 18½
Respite or discharging forfeited recognizance and motion thereto, . . . 12½
Entering discharge by proclamation, . . . 12½
Filing petition and order thereon, . . . 25
Issuing & recording marriage license, . . . 1 50

CLERKS' FEES IN CRIMINAL CASES.

Issuing process, . . . 75
Entering defendant's appearance, . . . 12½
Entering a plea, . . . 12½
Discharge of bail, . . . 25

For entering each suit, civil and criminal, on the court calendar, . . . 12½
For other services, the same fees as in civil cases, but no fee shall be exacted for issuing certificates of pay to grand jurors, petit jurors, or witnesses.

FEES OF PROSECUTING ATTORNEY.

For each conviction in criminal cases, 10 00
For every indictment, . . . 2 00

Arguing the matter when the defendant shall submit, . . . 2 00
Every trial, arguing a demurrer, or in opposition in arrest of judgment, or for a new trial, . . . 2 00

Which fees shall be collected, and paid as other costs.

JURORS' FEES.

Each person, serving as grand juror, shall receive of the clerk of the court, a certificate of his attendance on the court, and such cer-

tificate shall exempt the holder from as many days of service on roads or other public duties, as he may have been in attendance on the court; and grand jurors shall receive no further compensation.

Petit jurors shall be entitled to one dollar for each verdict rendered, and ten cents a mile for every mile he has necessarily to travel in obeying the summons of the sheriff.

WITNESSES' FEES.

For each witness for every day's attendance, . . . 1 00
Attendance before a justice of the peace, for half day, . . . 50
For traveling each mile, coming only from his or her place of residence to the place of trial, . . . 8

RECORDERS' FEES.

For recording each land claim, of 200 words, with the certificate, . . . 1 00
For each additional 100 words, . . . 12½
For recording each certificate of marriage, . . . 1 00
For all other writing for every one hundred words, . . . 12½
For every official certificate, when requested, . . . 25
For filing each paper, . . . 12½

MARSHAL'S FEES

The marshal of Oregon territory shall receive the same fees for his services as are allowed to sheriffs for the performance of like duties.

SECRETARY'S FEES

For issuing each commission, . . . 50
For each certificate with the seal of the territory, . . . 50
For all official writing for every one hundred words, . . . 12½
For filing each paper, . . . 12½

SHERIFF'S FEES.

For the service of any writ and the return thereof, (subpoenas excepted,) for one defendant, . . . 1 00
Each additional defendant, . . . 50
Every commitment to prison, . . . 50
Discharging a person from prison, . . . 25
Attending with a person before a judge or court when required, . . . 25
Attending on a witness brought before a court, on a writ of *habeas corpus*, or *subpoena*, . . . 50
Serving a writ of possession, . . . 1 00
Serving a writ with the aid of the posse comitatus, . . . 2 50
The copy of any writ or process necessary to complete a record, for every one hundred words, . . . 12½
Serving and returning a subpoena, for each person named therein and actually summoned, . . . 18½
Summoning a grand jury in the district court, to be paid from the county treasury, . . . 3 00
Summoning a petit jury in the district court, to be paid from the county treasury, . . . 1 50
Making out a list of a struck or special jury, and delivering the same, . . . 25
Summoning and returning a special jury, to be paid by the party putting off or losing the cause, and traveling fees, . . . 1 00
Traveling fees upon all writs, precepts, and subpoenas, not herein otherwise provided for (and not to extend to jurors) to be computed from the place of service to the place of return, per mile, . . . 8

Selling of land upon execution, and mileage, . . . 1 50
Collecting and paying into the territorial or county treasury any fine or forfeiture, the same per centage as allowed in civil cases. But the per centage on all executions shall be taken only for the sum received and paid over.

Making and executing a deed for land sold or set off on execution, to be paid by the purchaser or creditor, . . . 1 00
Serving any person with an order of court, and mileage, and making return, . . . 12½

Bringing up a person on a writ of *habeas corpus* in civil cases, and mileage, . . . 25
Summoning a jury in cases of forcible entry and detainer, . . . 2 00

Serving a writ of restitution with the power of the county, . . . 2 00
Serving a writ without the power of the county, . . . 1 50

Serving an execution for partition of real estate, or assigning dower, and mileage, . . . 2 00

[To be continued.]

THE MESSAGE.

*Fellow-citizens of the Senate
and House of Representatives:*

It is a source of unaffected satisfaction to meet the representatives of the states and the people in congress assembled, as it will be to receive the aid of their combined wisdom in the administration of public affairs. In performing, for the first time, the duty imposed on me by the constitution, of giving to you information of the state of the union, and recommending to you such measures as in my judgment are necessary and expedient, I am happy that I can congratulate you on the continued prosperity of our country. Under the blessings of Divine Providence and the benign influence of our free institutions, it stands before the world a spectacle of national happiness.

With our unexampled advancement in all the elements of national greatness, the affection of the people is confirmed for the union of the states, and for the doctrines of popular liberty, which lie at the foundation of our government.

It becomes us, in humility, to make our devout acknowledgments to the Supreme Ruler of the Universe, for the inestimable civil and religious blessings with which we are favored.

In calling the attention of congress to our relations with foreign powers, I am gratified to be able to state that, though with some of them there have existed since your last session serious causes of irritation and misunderstanding, yet no actual hostilities have taken place. Adopting the maxim in the conduct of our foreign affairs to "ask nothing that is not right, and to submit to nothing that is wrong," it has been my anxious desire to preserve peace with all nations; but, at the same time, to be prepared to resist aggression, and to maintain all our just rights.

In pursuance of the joint resolution of congress, "for annexing Texas to the United States," my predecessor, on the 3d of March, 1845, elected to submit the first and second sections of that resolution to the republic of Texas, as an overture, on the part of the U. States, for her admission as a state into our union. This election I approved, and accordingly the charge d'affaires of the United States in Texas, under instructions of the 10th of March, 1845, presented these sections of the resolution for the acceptance of that republic. The executive government, the congress, and the people of Texas in convention, have successively complied with all the terms and conditions of the joint resolution. A constitution for the government of the state of Texas, formed by a convention of deputies, is herewith laid before congress. It is well known, also, that the people of Texas at the polls have accepted the terms of annexation, and ratified the constitution.

I communicate to congress the correspondence between the secretary of state and our charge d'affaires in Texas; and also the correspondence of the latter with the authorities of Texas, together with the official documents transmitted by him to his own government.

The terms of annexation which were offered by the U. States having been accepted by Texas, the public faith of both parties is solemnly pledged to the compact of their union. Nothing remains to consummate the event but the passage of an act by congress to admit the state of Texas into the union upon an equal footing with the original states. Strong reasons exist why this should be done at an early period of the session. It will be observed that by the constitution of Texas, the existing government is only continued temporarily till congress can act; and that the 3d Monday of the present month is the day appointed for holding the first general election. On that day a governor, a lieutenant-governor, and both branches of the legislature, will be chosen by the people. The president of Texas is required immediately after the receipt of official information that the new state has been admitted into our union by congress, to convene the legislature, and upon its meeting, the existing government will be superseded, and the state government organized. Questions deeply interesting to Texas, in common with the other states; the extension of our revenue laws and judicial system over her people and territory, as well as measures of a local character, will claim the early attention of congress, and therefore, upon every principle of republican government, she ought to be represented in that body without unnecessary delay. I cannot too earnestly recommend prompt action on this important subject.

Oregon Spectator.

"Westward the Star of Empire takes its way."

Vol. I. Oregon City, (Oregon Terr.) Thursday, June 25, 1846. No. 11.

As soon as the act to admit Texas as a state shall be passed, the union of the two republics will be consummated by their own voluntary consent.

This accession to our territory has been a bloodless achievement. No arm of force has been raised to produce the result. The sword has had no part in the victory. We have not sought to extend our territorial possessions by conquest, or our republican institutions over a reluctant people. It was the deliberate homage of each people to the great principle of our federative union.

If we consider the extent of territory involved in the annexation—its prospective influence on America—the means by which it has been accomplished, springing purely from the choice of the people themselves, to share the blessings of our union—the history of the world may be challenged to furnish a parallel.

The jurisdiction of the U. States, which at the formation of the federal constitution was bounded by the St. Mary's on the Atlantic, has passed the capes of Florida, and been peacefully extended to the Del Norte. In contemplating the grandeur of this event, it is not to be forgotten that the result was achieved in despite of the diplomatic interference of European monarchies. Even France—the country which had been our ancient ally—the country which has a common interest with us in maintaining the freedom of the seas—the country which, by the cession of Louisiana, first opened to us access to the Gulf of Mexico—the country with which we have been every year drawing more and more closely the bonds of successful commerce—most unexpectedly, and to our unfeigned regret, took part in an effort to prevent annexation, and to impose on Texas, as a condition of the recognition of her independence by Mexico, that she would never join herself to the United States. We may rejoice that the tranquil and pervading influence of the American principle of self-government was sufficient to defeat the purposes of British and French interference, and that the almost unanimous voice of the people of Texas has given to that interference a peaceful and effective rebuke. From this example European governments may learn how vain diplomatic arts and intrigues must ever prove, upon this continent, against that system of self-government which seems natural to our soil, and which will ever resist foreign interference.

Towards Texas, I do not doubt that a liberal and generous spirit will actuate congress in all that concerns her interests and prosperity, and that she will never have cause to regret that she has united her "lone star" to our glorious constellation.

I regret to inform you that our relations with Mexico, since your last session, have not been of the amicable character which it is our desire to cultivate with all foreign nations. On the 6th day of March last, the Mexican envoy extraordinary and minister plenipotentiary to the United States made a formal protest, in the name of his government, against the joint resolution passed by congress, "for the annexation of Texas to the United States," which he chose to regard as a violation of the rights of Mexico; and, in consequence of it, he demanded his passports. He was informed that the government of the United States did not consider this joint resolution as a violation of any of the rights of Mexico, or that it afforded any just cause of offence to his government; that the republic of Texas was an independent power, owing no allegiance to Mexico, and constituting no part of her territory of rightful sovereignty and jurisdiction. He was also assured that it was the sincere desire of this government to maintain with that of Mexico relations of peace and good understanding. That functionary, however, notwithstanding these representations and assurances, abruptly terminated his mission, and shortly afterwards

left the country. Our envoy extraordinary and minister plenipotentiary to Mexico was refused all official intercourse with that government, and, after remaining several months, by the permission of his own government, he returned to the United States. Thus, by the acts of Mexico, all diplomatic intercourse between the two countries was suspended.

Since that time Mexico has, until recently, occupied an attitude of hostility towards the United States—has been marshalling and organizing armies, issuing proclamations, and avowing the intention to make war on the U. States, either by an open declaration, or by invading Texas. Both the congress and the convention of the people of Texas invited this government to send an army into that territory, to protect and defend them against the menaced attack. The moment the terms of annexation, offered by the U. States, were accepted by Texas, the latter became so far a part of our own country as to make it our duty to afford such protection and defence. I therefore deemed it proper, as a precautionary measure, to order a strong squadron to the coasts of Mexico, and to concentrate an efficient military force on the western frontier of Texas. Our army was ordered to take position in the country between the Nueces and the Del Norte, and to repel any invasion of the Texian territory, which might be attempted by the Mexican forces. Our squadron in the gulf was ordered to co-operate with the army. But though our army and navy were placed in a position to defend our own, and the rights of Texas, they were ordered to commit no acts of hostility against Mexico, unless she declared war, or was herself the aggressor by striking the first blow. The result has been, that Mexico has made no aggressive movement, and our military and naval commanders have executed their orders with such discretion, that the peace of the two republics has not been disturbed.

Without the previous authority of congress, the executive possessed no power to adopt or enforce adequate remedies for the injuries we had suffered, or to do more than be prepared to repel the threatened invasion on the part of Mexico. After our army and navy had remained on the frontier and coasts of Mexico many weeks, without any hostile movement on her part, though her menaces were continued, I deemed it important to put an end, if possible, to this state of things. With this view, I caused steps to be taken, in the month of September last, to ascertain distinctly, and in an authentic form, what the designs of the Mexican government were; whether it was their intention to declare war, or invade Texas, or whether they were disposed to adjust and settle, in an amicable manner, the pending differences between the two countries. On the 9th of November an official answer was received, that the Mexican government consented to renew the diplomatic relations which had been suspended in March last, and for that purpose were willing to accredit a minister from the United States. With a sincere desire to preserve peace, and restore relations of good understanding between the two republics, I waived all ceremony as to the manner of renewing diplomatic intercourse between them; and assuming the initiative, on the 10th of November a distinguished citizen of Louisiana was appointed envoy extraordinary and minister plenipotentiary to Mexico, clothed with full powers to adjust, and definitely settle, all pending differences between the two countries, including those of boundary between Mexico and the state of Texas. The minister appointed has set out on his mission, and is probably by this time near the Mexican capital. He has been instructed to bring the negotiation with which he is charged to a conclusion at the earliest practicable period; which, it is expected, will be in time to enable me to communicate the result to congress during the present session. Until that result is known,

I forbear to recommend to congress such ulterior measures of redress for the wrongs and injuries we have so long borne, as it would have been proper to make had no such negotiation been instituted.

The attention of congress is invited to the importance of making suitable modifications and reductions of the rates of duty imposed by our present tariff laws. The object of imposing duties on imports should be to raise revenue to pay the necessary expenses of government. Congress may, undoubtedly, in the exercise of a sound discretion, discriminate in arranging the rates of duties on different articles; but the discrimination should be within the revenue standard, and be made with the view to raise money for the support of government.

It becomes important to understand distinctly what is meant by a revenue standard, the maximum of which should not be exceeded in the rates of duty imposed. It is conceded, and experience proves that duties may be laid so high as to diminish, or prohibit altogether, the importation of any given article, and thereby lessen or destroy the revenue which, at lower rates, would be derived from its importation. Such duties exceed the revenue rates, and are not imposed to raise money for the support of government. If congress levy a duty, for revenue, of one per cent. on a given article, it will produce a given amount of money to the treasury, and will incidentally and necessarily afford protection or advantage to the amount of one per cent. to the home manufacturer of a similar or like article over the importer. If the duty be raised to ten cent. it will produce a greater amount of money, and afford greater protection. If it be still raised to twenty, twenty-five, or thirty per cent., and, if, as it is raised, the revenue derived from it is found to be increased, the protection or advantage will also be increased; but if it be raised to thirty-one per cent., and it is found that the revenue produced at that rate is less than at thirty per cent., it ceases to be a revenue duty. The precise point in the ascending scale of duties at which it is ascertained from experience that the revenue is greatest, is the maximum rate of duty which can be laid for the bona fide purpose of collecting money for the support of government. To raise the duties higher than that point, and thereby diminish the amount collected, is to levy them for protection merely, and not for revenue. As long, then, as congress may gradually increase the rate of duty on a given article, and the revenue is increased by such increase of duty, they are within the revenue standard. When they go beyond that point, and, as they increase the duties, the revenue is diminished or destroyed, the act ceases to have for its object the raising of money to support government, but is for protection merely.

It does not follow that congress should levy the highest duty on all articles of import which they will bear within the revenue standard; for such rates would probably produce a much larger amount than the economical administration of the government would require. Nor does it follow that the duties on all articles should be at the same, or a horizontal rate. Some articles will bear a much higher revenue duty than others. Below the maximum of revenue standard, congress may, and ought to discriminate in the rates imposed, taking care so to adjust them on different articles as to produce in the aggregate the amount which, when added to the proceeds of sales of public lands, may be needed to pay the economical expenses of the government.

In levying a tariff of duties, congress exercises the taxing power, and for purposes of revenue may select the objects of taxation. They may exempt certain articles altogether, and permit their importation free of duty. On others they may impose low duties. In these classes should be embraced such articles of necessity as are in general use, and especially such as are consumed by the laborer and the poor as well as by the wealthy citizen. Care should be taken that all the great interests of the country, including manufactures, agriculture, commerce, navigation and the mechanic arts, should, as far as may be practicable, derive equal advantages from the incidental protection which a just system of revenue duties may afford. Taxation, direct or indirect, is a burden, and it should be so imposed as to operate, as equally as may be, on all classes, in the proportion of their ability to bear it. To make the taxing power an actual benefit to one class, necessarily in-

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ney-general have been much increased within a few years, and his office has become of great importance. His duties may be still further increased with advantage to the public interests. As an executive officer, his residence and constant attention at the seat of government are required. Legal questions involving important principles, and large amounts of public money, are constantly referred to him by the president and executive departments for his examination and decision. The public business under his official management before the judiciary has been so augmented by the extension of our territory, and the acts of congress authorizing suits against the U. States for large bodies of valuable public lands, as greatly to increase his labors and responsibilities. I therefore recommend that the Attorney-General be placed on the same footing with the heads of the other executive departments, with such subordinate officers, provided by law for his department, as may be required to discharge the additional duties which have been or may be devolved upon him.

Congress possesses the power of exclusive legislation over the district of Columbia; and I commend the interests of its inhabitants to your favorable consideration. The people of this district have no legislative body of their own, and must confide their local as well as their general interests to representatives in whose election they have no voice, and over whose official conduct they have no control. Each member of the national legislature should consider himself as their immediate representative, and should be the more ready to give attention to their interests and wants, because he is not responsible to them. I recommend that a liberal and generous spirit may characterize your measures in relation to them. I shall be ever disposed to show a proper regard for their wishes; and, within constitutional limits, shall at all times cheerfully co-operate with you for the advancement of their welfare.

I trust it may not be deemed inappropriate to the occasion to dwell for a moment on the memory of the most eminent citizen of our country, who, during the summer that is gone by, has descended to the tomb. The enjoyment of contemplating, at the advanced age of near four-score years, the happy condition of his country, cheered the last hours of Andrew Jackson, who departed this life in the tranquil hope of a blessed immortality. His death was happy, as his life had been eminently useful. He had an unfaltering confidence in the virtue and capacity of the people, and in the permanence of that free government which he had largely contributed to establish and defend. His great deeds had secured to him the affections of his fellow-citizens, and it was his happiness to witness the growth and glory of his country which he loved so well. He departed amidst the benedictions of millions of freemen. The nation paid its tribute to his memory at his tomb. Coming generations will learn from his example the love of country and the rights of man. In his language on a similar occasion to the present, "I now commend you, fellow-citizens, to the guidance of Almighty God, with a full reliance on His merciful providence for the maintenance of our free institutions; and with an earnest supplication, that whatever errors it may be my lot to commit in discharging the arduous duties which have devolved on me, will find a remedy in the harmony and wisdom of your councils." JAMES K. POLK.

Washington, December 2, 1845.

Farm for Sale.

The subscriber offers his valuable claim, in Tualaty plains, for sale. There are on the claim 80 acres in cultivation, under a good fence, with a log-cabin thereon, and also timber for a framed dwelling and barn, a quantity of shingles, &c. Persons wishing to purchase a good farm, will do well to visit the above, as it will be sold on good terms. May 28, 1846-47 A. COOK.

Farm for Sale.

The subscriber hereby notifies the public generally, and those in particular who wish to purchase an improved claim, in an eligible part of the country, that his claim is now offered for sale. Said claim lies on the Wallace Prairie, adjoining Jas. Ford and Jno. Ford, formerly known as B. Del Cour's claim, having a log cabin and a French barn, and also another set of logs for a cabin, which was once put up, and has been removed, and about two hundred acres enclosed, and about sixty acres of that old land, upon it. Said claim is about 3 miles from the Salem Mills, and 4 miles from the Oregon Institute. Terms reasonable, and conditions easy. For further particulars, enquire of the subscriber at Salem Mills. JNO. B. McCLANE.

March 19, 1846-47

**THE SPECTATOR.**

H. A. G. LEE, EDITOR.—J. FLEMING, PR.

Oregon City, June 28, 1846.

DR. WHITE.

We experience much pleasure in being able to set at rest the long uncertainty of the safety of Dr. White and party.

Dr. White's arrival is alluded to in the N. Y. Albion of the 10th January, 1846. He is there quoted as an authority on a question respecting the climate of this country in winter, and he tells the world that it rains here constantly for three months out of the year.

In the same paper mention is also made of a memorial from Oregon, presented to congress a few weeks since, from which a short extract is given, as follows:

"We, the citizens of the United States, have had no cause to complain either of exactions or oppression at the hands of the subjects of Great Britain; on the contrary, it is but just to say, that their conduct towards us, has been most friendly, liberal, and philanthropic."

The writer of an article in the N. A. Review, quoted by the editor of the Albion, gives the preceding quotation, with the following comment:

"Considering the numerous causes of dispute and collision between the subjects of the two nations, in this remote region, it is very honorable to them both that they should hold such language."

OVER THE MOUNTAINS.

Whilst on the one hand we learn with regret, that the company of road hunters which started from Polk county, has returned unsuccessful and discouraged; on the other, we are cheered with the intelligence, that another party from Champoege county is forming, and will soon be prepared to start, under the command of an able and experienced pilot.

When all are impressed with the conviction, strengthened in many instances by painful experience, of the vast importance of obtaining an easy and safe road to the Willamette Valley, by a southern route, and thus avoiding the numerous and heart-breaking difficulties of the Columbia, it will afford us no small gratification, to be enabled to give the names of the patriotic little band, who inspired and directed by the public safety and welfare of their country, engage in this arduous and praiseworthy undertaking; that the hopes and wishes of the community will be with them there is no doubt; that there is great probability of success, is the opinion of the oldest and most experienced of our mountaineers and trappers; that they will richly deserve our praise and gratitude, no one will for a moment question, and we have no hesitation in venturing our belief, that all interested (and who is not?) will manifest the same, not merely in empty plaudits, but in a manner demonstrative of the value at which their exertions are estimated, as well as to testify, that those who render valuable services to the state, when she needs it, shall not labor without reward.

FOURTH OF JULY MEETING.

According to notice, the citizens of Oregon met at the City Hotel, in Oregon City, on the 13th day of June, 1846, for the purpose of making arrangements for celebrating the Anniversary of our national independence, when, on motion, A. Hood was called to the chair, and W. G. TVank appointed secretary.

On motion of W. G. TVank, Resolved, that the citizens of Oregon, although far from their beloved government, view with feelings of the deepest interest, the approach of that rare than glorious day, (the 4th of July,) on which our national independence was declared; notwithstanding we are situated on the coast of the Pacific, thousands of miles from the jurisdiction of the United States, yet, as citizens, we will, in memory of that day, celebrate the 4th of July on the banks of the Willamette—adopted.

At a subsequent meeting, on the 15th inst., it was determined that the mode of celebration should consist of appropriate exercises and a substantial dinner—the expenses to be defrayed by subscription, and free to all.

A committee of arrangement was appointed to take such measures as may seem best, to secure a becoming and orderly celebration, consisting of A. L. Lovejoy, M. M. McCarter, S. Parker, J. R. Robb and H. Burns; which committee, through the columns of the Spectator, most cordially invite their fellow-citizens, and every friend of liberal principles, bringing their ladies and families, to assist and co-operate with them in the celebration of that truly glorious day—the 4th of July—at Oregon City.

Public Meeting.

A meeting of the citizens of Oregon was held at the City Hotel, in Oregon City, on Monday the 15th June, 1846, for the purpose of sending an express to meet the emigration from the United States to this country, in order to prevent their being deceived and led astray by the misrepresentations of L. W. Hastings, who is now on his way from California for that object; when the following proceedings were had: Gen. McCarter being called to the chair, and J. S. Rinearson appointed secretary, on motion of Col. Taylor, the sense of the meeting was taken with regard to the propriety of sending such express, and decided in the affirmative.

On motion, a committee was appointed to select persons to proceed to the Soda Springs to meet the emigration, and also to ascertain what amount of funds can be raised to defray expenses. Col. Finley, Col. Taylor, P. Foster, Samuel Parker, and A. Hood were appointed said committee.

On motion, resolved, that the express start as soon as the 25th inst.

The committee reported they had selected Colonel Finley, J. S. Rinearson, and W. G. TVank, as suitable persons to go on said express, which was accepted by the meeting.

On motion, a committee of three was appointed to take depositions, and procure such information as will further the object of the meeting, and to have the same published. A. L. Lovejoy, D. C. Ingles, and F. Prigg, to be said committee.

After many animated addresses relative to the subject, on motion, it was ordered, that the proceedings of the meeting be signed by the chairman and secretary, and handed to the editor of the Spectator for publication.

On motion, the meeting adjourned to meet on Saturday evening next.

M. M. McCARTER, Chm.
J. S. RINEARSON, Secy.

In conformity with the above, the committee waited upon several individuals, who have recently returned from California, and received the following statements:

We, the undersigned, left the United States in 1845 to proceed Oregon, and upon our arrival at Fort Hall, having been told by Capt. Grant that the road to Oregon was so bad and destitute of grass and wood, by his advice and others, we were induced to leave the Oregon trail, and go to California. When we arrived at the plains of the Sacramento valley, we found the whole country burnt up by the sun, and no food for either man or beast; having been deceived ourselves, our object is to prevent others being deceived in like manner. Owing to the drought, no vegetables for sauce of any amount can be raised. Flour is from 10 to 12 dollars per hundred, and unbolted at that; from 5 to 8 bushels of wheat to the acre, is about the average raised in California; the main commences in January, and ends about the 1st of March, and then no more of any consequence till the year rolls round; four months grass and eight months drought. There is no timber but scrub oak, except on the mountains, from 10 to 50 miles from the settlements; lumber is from 40 to 60 dollars per thousand, and most of the buildings are double, covered with toby. The country is so flat and sandy that, in the winter, one-fourth is inundated, and leaves the swamps full of water, which dries away in the summer, and causes intermittent complaints to be prevalent. There is no good society at all, and it is very difficult for a man to keep his own. The Roman Catholic Institute is destroyed; no land can be obtained by foreigners without purchase, and then a poor title; and it is almost impossible to get any clothing—the duties are so high, that no shipping comes in. When we left California for Oregon, Landford W. Hastings started to meet the emigration from the states, to try to persuade them to go to California. He told us publicly that he and Capt. Suter intended to revolutionize the country, as soon as they could get sufficient emigrants into California to fight the Spaniards; this plan was laid between Capt. Suter and L. W. Hastings, before said Hastings published his book of lies in 1844.

We have now traveled this side of the Umpqua mountains 80 or 90 miles before we reached the settlements in the Willamette valley, and we can say we have found the most splendid and beautiful country, with rich prairie land and timber adjoining, together with good water and springs; there is probably one thousand farms can be had convenient to the Willamette river, such as will suit the fancy of any farmer, and far exceeding anything we have seen in California.

TRUMAN BONNEY,

JAIRUS BONNEY,

(Corroborated by) ABNER FRAXER.

Signed at Oregon City, June 17, 1846, in presence of A. L. Lovejoy and F. Faxon.

The undersigned was a resident in California eight years, during which time he only witnessed one fair crop, and two half crops raised, the balance of the time the seed was barely returned, except in a very few instances. Wheat, in a great portion of the country, may be seen in our 6 inches high; potatoes can only be raised near the coast, and then by irrigation—have known Capt. Suter endeavor to raise potatoes without irrigation, and it was a complete failure. The principal article of food, and in most instances the only one, is dried or jerked beef—generally well mingled with mud.

The fever and ague is very prevalent during summer and fall, scarcely any foreigner escaping, and the symptoms are usually severe. The state of society is very lamentable, and you are only one of your home, but when you have held of the rope. There is no money in the country, and clothing is difficult to obtain. There is no timber but in the mountains, and from what I have seen of Oregon, consider there is no comparison between the two countries for farming purposes.

JOHN CHAMBERLAIN.

Signed at Oregon City, 17th June, 1846, in presence of A. L. Lovejoy and Faxon.

To the Oregon Emigration.

I arrived in this place to-day, and at the request of some friends, I make this statement to you concerning California, and the operations of men there: Captain Hastings left the 4th of May to meet the company from the United States, for the purpose of persuading

them from their path, and enticing them to California. Now, this I can say to you that may hear Hastings tell of the wonders of California, there is a scarcity of timber and water, and though the hills are met with oats and the valleys with clover, it is all short feed, as the sun burns the clover down by the 15th of July, and the stock have to live on the seeds in the winter. I have seen enough of Oregon to perceive that it is the best grazing country of the two, and for agriculture they must compare.

ROBERT C. KEYES.

Oregon City, June 17, 1846.

To the Oregon Emigration.

I wish to state to you, that I have just returned from California, where I remained one year, and as to the spontaneous growth of fruit, it is all false. Flour, if flour I could call it, without bolting, is \$10 per hundred pounds; beef 6 cents per lb.; coffee and sugar is 50 cts. per lb. when there is any in the country; goods of all description are very scarce and very high priced. My objection to that country, is the scarcity of timber and water; in the summer it is parched up, and in the winter it is every where flooded; there is no chance to raise any vegetables without watering. Iron is very scarce in that country and 50 cents per lb. Horses \$25 a head, and mulch cows \$15, and poor at that—that is in trade, for money there is none in the country. I speak now of the Sacramento country, and that is all the place you can settle.

ALLEN SANDERS.

Oregon City, June 17, 1846.

For the Spectator.

Mr. Editor—What a strange and new country this Oregon is! How inspiring are all its scenes! How they exalt the genius! which, like our towering firs, aspires to the skies. In other lands, it requires years of toil and practice to attain eminence in the histrionic art. Here we have seen the crew of that "happy" ship "Moderate," reach at once such excellence, that even the regular "corps dramatique" have not always equalled them, and of which, even old "Drury" herself might be proud! And then the scenery—(painted by themselves, what?)—"was beautiful." The characters were "ably" sustained; and the vocal powers of certain gentlemen were so "truly admirable," that they might be "pitched" against a Braham or a Wilson. The ladies there was such an "excellent roll" in their walking, that one would think the "hollow of their feet made a hole in the ground." The parts of Col. Tamper! and some one else, were well performed. No doubt of it. In short, sir, such was the inimitable performances, that they almost "sent every one into fits," and the very children cried out "look at the man making faces." The orchestra was well got up! to wit: "violin, flute, and harmonious bagpipes." And such indeed were the surpassing attractions of these performances that the "columns of the Spectator would not permit the writer," who communicated such pleasing intelligence, "to take notice of every actor," because "the whole of them deserved the highest commendation." And then followed a ball, and "there was a brilliant assemblage of the 'fair sex,' with pretty faces and dresses, the theme of universal admiration, combining 'neatness, elegance and ease.' It was pleasing to see the 'tripping on the light fantastic toe,' in 'reels, country dances, figures eight, and jigs,' but unfortunately they could not come that intricate dance the Polka; but as a matter of consolation we are assured "that a gentleman who lately visited the Fallatine plains, had kindly volunteered to instruct the Oregonian beauties in its intricacies." Well! well! Does not all this exquisite pomposity remind one of the ostentatious parade of Jim Squat, son of ugly Jim, mayor of Squatville?

But this is not all that has occurred on board that "happy" ship "Moderate." Other performances took place about the middle of May, as stated by "A Plain Man," in the 8th number of your paper, who appears so much enraptured that he thanks these "tars for the rich treat afforded us upon this occasion, as well as for the variety of attractions during the past winter." But nothing equalled the pic nic party "on the green sward," near the "lovely banks of the big lake," where all hands "squatted in true pic nic style around the festive board"—"happiness depicted in every countenance," and "the sun shining forth in all his glory, adding lustre to the rosy cheeks present." And when the ladies were ready to start, "gallant steeds were in attendance!" The ball then followed, and the "fair sex" were more numerous, and even more bewitching in their dresses, step, and grace, than on former occasions; and there was such "a spirit of urbanity and happiness prevailed in this brilliant assembly!"

"O! there's nothing half so sweet in life,
As love's young dream."

The writer must have been a young lover, "sighing like a furnace." He does not even stop here. In another communication he speaks in terms of rapture of the "display of beauty, fashion, and gait." "One could not," he says, "walk a hundred yards without meeting pretty faces and gay costumes," and even "butterflies." After exhausting all his sweet eloquence upon the scenes and persons described, the writer, as if fearing some one might dispute his statements, and say "there's no accounting for taste in this world," gives you readers a pompous "list of arrivals to attend the sport," as much as to say, here are their names, judge for yourself, if I have been extravagant in my eulogy upon the rosy cheeks, beauty, grace, and step of the ladies, so many of whom were from the enviable Tualaty Plains. Now, I think, the ladies will not thank this "lover" for the great parade he has made of their names in your paper, coupled with such outrageous flattery. It may be all right enough, but it is novel and unheard of; and I cannot but think that one of the young ladies mentioned would blush if one of her acquaintances, even in jest, were to ask her if she was one of the fair sex whose names was paraded in the Spectator as possessing so much beauty, grace, and grace in her step. I say, I think the young lady would blush.

But, Mr. Editor, there are not all the exquisite things in Oregon. We have a splendid specimen of tasteful architecture in that beautiful "Rectangular Arber," founded by a procession with all ready formality, and as appropriately called "Moe-quit a Grotto." And then comes our regular line of packets, launched from

our "beat-yard," no well caulked, gummed, and even greased, with passenger gratis by paying for it, and no great in the punctuality of these boats, that "as time waits for no man, the boats will do the same."

New, in candor, Mr. Editor, aside from all jesting, and without the slightest wish to wound any one, I do think we should speak of our Oregon fashions, theatres, amusements, boats, and improvements with becoming diffidence, lest other communities might justly say of us that we had indulged in "outrageous and ridiculous excess."

X. Y. Z.

For the Spectator.

Mr. Editor—Our friend, Mr. Douglas, in the Spectator of the 11th inst., denies, in the most unqualified terms, the charge of rum-selling at Vancouver, and challenges me to the proof of the assertion, by calling, individually, on all of our fellow-citizens for testimony, and no other alternative is left me, but to proceed in accordance to his request; he will, I am sure, pardon me if I seek this amongst the highest authorities—and I will produce one at least, whose veracity will not, I am sure, be called in question by our friend.

When I, in my speech, adverted to the fact that rum was sold at Vancouver contrary to law, the statement was based on the thousand-tongued rumer, and I so qualified my remarks; but in Mr. Douglas's confession, found in the paper alluded to, the matter of doubt is settled, and we are now furnished with the authority of no less a personage than Mr. Douglas himself: **HEAR HIS TESTIMONY!**

"If," says he, "with reference to these supplies, he had told his hearers that Her Majesty's Ship 'Modesto,' now stationed at Fort Vancouver, had, with other supplies for ship use, from the stores of the Hudson's Bay Company, received several casks of rum; or if, referring to the H. B. Company's own ships, he had stated that a small allowance of spirits is daily served out to the crews of the company's vessels, and that other classes of the company's servants, according to long established usage, receive on certain rare occasions, a similar indulgence, he would have told the plain and simple truth," &c. These facts, Mr. Douglas, who has charge of the trading post at Vancouver fully admits, and upon his testimony in the matter, I place the most implicit confidence. It was not my intention to charge our friend with having kept a tippling shop at Vancouver, and I wish to correct such, if any there are, who may have come to such a conclusion; but I confess, I had not supposed that the law in relation to ardent spirits (and which may be found in the first number of the Spectator) had been so wantonly disregarded. We knew, from personal observation, that rum, in considerable quantities, had found its way amongst our citizens from some quarter, and the disclosures here made, furnishes a key to the mystery, and we are now broadly told that casks of this article have been furnished to Her Majesty's officers stationed in Oregon, but that in "their high character we enjoy the fullest security against its abuse," &c.

And now, my dear sir, having heard much of the hollow and ceremonious professions and hypocritical grimaces of courts and men in high places, and disgusted with every thing which savors of aristocratical or monarchical parade, and smitten with the love of republican simplicity and honesty, I cannot admit that rank or men in high places are guaranteed against the abuse of our laws, nor are they so framed as to justify such a conclusion. Raised, as I was, under these simple institutions, which tend to bring all on an equality, I cannot perceive those high guarantees or pledges of honor which are said to emanate from rank or station in high places in society. With us, men give pledges of honor and character alone from their moral conduct, and the bacchanalian carousals which came off in the Tualaty Plains on Vancouver rum last winter and spring, at the expense of the good morals of our farming community, gave me abundant and additional evidence to admire our simple and republican usages, while it serves as a moral worthy of the consideration of a prince or the strongest appendage of nobility. Our laws make no distinction in favor of the officers on board of Her Majesty's ship Modesto, nor of the Hudson's Bay Company's servants. If their ships visit our ports, our laws will protect them, and according to the usages of all nations, we expect them to submit to their provisions; but should these officers, through the plenitude of their power, determine to disregard our laws, it certainly could find no justification with one filling the high judicial station which Mr. Douglas occupies. He has sanctioned our law-making authority by accepting one of the highest judicial offices under our organization. According

to his own confession, he has disregarded the law, not only by giving in small quantities, but by selling ardent spirits by the cask; nor can he find justification by dealing it out under pre-existing contracts to the servants of the Company. To admit that principle, dealers in this article would only be required, when the prohibitory law was about being passed, to contract for the supply of all their old customers, and thus defeat the object and intention of the law by a pre-existing contract; and as for the argument of long existing usages, that pays the poorest tribute of all. Why, the very toper may plead his long indulgence in the use of this article, with as much propriety. I should not have noticed the subject again, but for my anxious desire that the matter should be fairly placed before the public.

SAMUEL PARKER.

For the Spectator.

Mr. Editor—You have invited discussion upon the propriety of taxing litigation. If I understand you correctly, the clear position you advance is this, that there should be raised a tax upon litigants for the purpose of creating a fund to pay jurors. It is not stated whether this fund shall go to pay grand or petit jurors. I presume the fund intended to be raised is to be appropriated to the pay of all jurors, and in this light I shall discuss it; but very briefly. The services of grand jurors go to the benefit of the public generally, and the money to pay them should be raised like any other general revenue for public purposes. Petit jurors serve for the benefit of the particular case they try, and as their services are made necessary by the particular act of the parties to that particular suit, statesmen have considered it just to tax the losing party with the pay of the jury in that particular case. A man cannot rightfully object to pay the costs occasioned in an individual case by his individual act. But let us consider the proposition to tax individual litigants to pay grand jurors, who serve for the whole community. Our laws tell us that when we consider ourselves injured by our neighbor, we must not take justice into our own hands, but must appeal to the laws and courts of our country. Our country has laid a general tax upon all its citizens for general purposes. We will suppose A to have, like others, paid his general tax; but he is injured and must appeal to the law for redress. You tell him in substance that your courts will give him justice; but if he fails he must pay a second general tax, in addition to what he and others have paid, because he has been unfortunate enough to get into a law suit—that our country has two ways to raise a revenue for general and public purposes which concern us all alike, to wit: first, by a general tax upon property; and second, by a charge upon those who apply to it for the administration of justice. In other words, our country makes money by a sale of its justice. Can any one say that our country should make a speculation by the sacred administration of justice? Is there any reason why a man, who is invited by our laws to apply to the legal tribunals of the country for redress of his wrongs, and who does so; but because he has not been able to forego a failure of his suit, should be doubly taxed? But if the fund intended to be raised be applied to the payment of petit jurors alone, the better plan is to tax up the pay of the jury in the particular cause against the losing party in that case. And the reason is this, that if you raise such fund, your tax will fall unequally, for some litigants will pay nothing, being unable, while the whole expense of all petit jurors will fall upon the few litigants who are able to pay; and who, in such case, must pay other men's jurors, as well as their own. I think that when this matter is understood distinctly, there will be no difference of opinion as to its injustice or inexpediency. One word as to costs in general: The idea of high and exorbitant costs in a young and poor community would seem to be erroneous at once. Cheap and ready justice, as near men's doors as you can get it, is the true rule. In some countries all men are allowed to sue; but the costs are so heavy that a poor man is practically excluded from the courts, for the reason that all costs must be paid in advance, where the officer chooses to demand it, except, perhaps, in a few instances.

C.

For the Spectator.

LAUNCH.—Seldom has Vancouver exhibited such a state of excitement as on the 8th inst., when numbers had collected from different parts of the country to witness the im-

posing scene of the launch of the new vessel, some from curiosity, others hailing it as a prosperous omen of the flourishing state of the country, comparing it with a few years past, when all was a wilderness. Mr. Scarth, the Company's ship builder, was not a little proud to see such a concourse of people assembled, to whose politeness I am indebted for the following measurements: 70 feet 10 inches keel, 76 feet over all, 18 feet breadth of beam, and 14 feet below; tonnage register 74. Judging from her appearance, she will carry a large cargo on a small draft of water. At half past 4 o'clock a signal gun was fired; in an instant flags were seen to fly from the masts of the different vessels in the harbor, from the establishment, and down the dock-yard. A platform had been erected at the bow, and there stood the amiable Miss Douglas with a few select friends, who had been invited to assist her in the ceremony of christening, escorted by Capt. Balle, who had that honor conferred on him, and I could plainly perceive many a gallant envied him his good fortune. The magic words being pronounced, "Success to the Prince of Wales," was loudly reiterated from hundreds of voices; the dog-shores were knocked away from their deposit, and with a bottle suspended by a colored ribbon from the stem, she glided majestically on the bosom of the magnificent Columbia, amidst the deafening cheers of the surrounding spectators. Too much praise cannot be given to Mr. Scarth and the superintendent of the dock-yard for the arrangements they had made for the safety of spectators. Not the slightest accident happened to mar the truly pleasing and animated scene, and I have only to express my best wishes that not only all expectations may be fully realized, but as the country advances in prosperity, we may be often invited to witness similar scenes.

AN OBSERVER.

For the Spectator.

"Welcome the day that God hath blest,
"The type of Heaven's eternal rest."

Mr. Editor—What indeed can be more pleasing and gratifying, than to witness the great improvements that are now almost daily taking place in our infant settlement? Among the rapid strides we are making, one of the greatest, as tending to our salvation hereafter, is that of our moral and religious improvement. It is but a short time since we were present at the consecration of the new Roman Catholic Church at Oregon City, and on Sunday last we were again invited to witness a similar scene here, and when we take into consideration the infant state of our settlement, and the great difficulty of providing the necessary ornaments required, reflects great credit on all concerned, and when finally completed, will equal, if not surpass, any in Oregon; its dimensions are as follows: Length 81 feet, breadth 36, height 20; gallery, width 36 feet, breadth 12. There is also a neat parsonage house, 20 by 30 feet, attached to it, nearly completed. The Rev. Father De Vos officiated in the absence of Bishop Blanchett, having been duly delegated to act. Having delivered a most impressive and solemn discourse, most appropriate to the occasion, he dedicated it to St. James. Another discourse followed, in which he called the attention of his congregation to the great facility now afforded them of attending Divine Service, compared to a few years past; and he implored them to avail themselves of it, and having invoked a blessing on the new church, the ceremony was concluded. The church can accommodate about 500 persons; on the present occasion about one hundred and fifty were present.

AN OBSERVER.

For the Spectator.

Shocking Accident (almost) & narrow escape!

An accident occurred on the 12th inst. in the Columbia river, for a time alarming, but happily resulting only in a good soaking in our sweet waters. While two of the junior officers of H. B. M. S. "Modeste," with a friend from the shore, and three of the crew, were enjoying a pleasure sail in the pinnace, a sudden squall caught her, and instantly upset her. The party were for 20 minutes in imminent danger, immersed in the water, hanging by the boat, until the ship's cutter (which fortunately was sailing in company) proceeded to, and rescued them all from the brink upon which they hung between this and the next world. The pinnace was towed to the shore, and soon restored to her former glory.

Vancouver, June 15.

To CORRESPONDENTS.—Some of our friends will perceive we have curtailed their communications, which we hope they will excuse, otherwise, from the limited space afforded us in this number, they must unavoidably have been omitted.

MARRIED.—By the Rev. J. S. Griffin, in Tualaty Plains, at 4 o'clock, P. M., on the 4th inst. DAVID HILL, Esq., of Columbia, to Miss LUCINDA WILSON, late of Missouri.

By the same, at 3 o'clock, P. M., on the 17th inst. Mr. ALANSON HINMAN, formerly of the state of New York, and now a teacher in the Oregon Institute, to Miss MARTHA ELIZABETH JONES GERISH, at her father's residence in Tualaty Plains.

NOTICE.

ALL persons indebted to Dr. M. Whitman, are requested to make payment of the same on or before the 1st of October next, when, on such debts as remain unsettled, a legal course will be taken for collection. Wheat, delivered at Oregon City, will be taken at the market price in payment.

NOYES SMITH, Agent.

Oregon City, June 25, 1846-811.

The Callapooch for Sale.

Captain Aaron Cook having determined to quit the river for a time, offers to sell his well-known and excellent sailing schooner, "Callapooch." For terms and particulars, call on Capt. Cook on board. If no private sale be effected before the 15th of July, the above named craft will, on that day, be offered at public auction, in Oregon City.

May 28, 1846-814.

CITY HOTEL.
BY H. M. KNIGHTON,
Oregon City.

The traveling community are respectfully invited to call. The City Hotel is undergoing repairs, and the proprietor feels safe in saying that when completed, his customers will feel more comfortable, as every necessary attention will be rendered to make them so. His table shall not be surpassed in the territory. Those who favor him with a call from the west side of the river, will receive horse ferrage free.

Jan. 30, 1846-115.

Tavern and Tantery.

NOTICE is hereby given to the citizens of Oregon, that the undersigned is now occupying the stand formerly kept by Mulky, on the west side of the river, and hopes to give general satisfaction to all who may call on him. Terms—Ready pay, 25 cents per meal. Price for horse over night, 75 cents. All kinds of produce will be received for the same.

Also, 1,000 Hides Wanted, which he will take on shares, or cash or store pay, will be given. Hides will be received at any time at the above stand.

C. D. SMITH.

Muknomah City, April 30, 1846-71.

Blacksmithing.

NELSON & McDONALD,
HAVING rented Mr. H. Barns' old stand in Muknomah City, on the west side of the Willamette river, are now ready to supply their friends and customers with all kinds of manufactured iron and steel. They have a large stock of assorted iron and steel on hand, which will enable them to supply all orders in their line with dispatch. They have now on hand a quantity of Diamond and Cary Files of the best quality, axes, drawing knives, mortising chisels, and edge tools of all kinds, warranted to carry a good edge, or no charge. All of which will be sold at a moderate price for good pay.

If Customers coming from the east side of the Willamette river to our shop for iron work, will be ferrage free of charge.

Feb. 19, 1846-117.

Hat Manufactory,
Oregon City.

JOHN TRAVERS & WM. GLASER,
HAVING associated themselves together in manufacturing Hats at Oregon City, are now ready to supply their friends and customers with hats manufactured in Oregon. Although the profits are small, they confidently hope, by their prompt attention to business, to be able to furnish hats to the Oregon citizens at reduced prices.

Wool, beaver, otter, raccoon, wildcat, muskrat, mink, prairie wolf, and fox skins will be taken in exchange for hats.

February 5, 1846-118.

Plows! Plows! Plows!

\$10,000 Reward for every one to attend to his own business.

THE subscriber begs leave to inform the public at large, that he has established himself in the Blacksmithing in general, in Oregon City, where he will keep on hand an assortment of Plows, which cannot be surpassed in the States. Persons wishing to purchase plows, can be accommodated with them, finished or unfinished. Also, Patent Fitch Forks, Hoes, Axes, and all kinds of mechanic's tools. As the subscriber has had long experience in machinery, he feels himself competent to execute all kinds of mill work, shingle machines, and thrashing machines of the best approved patterns.

Gentlemen wishing to purchase any of the above articles, will do well to call and examine for themselves on Main street, Oregon City.

D. C. INGLES.

February 19, 1846-211.

The Oregon Spectator.

TERMS.—Five dollars in advance; if not paid until the expiration of three months, six dollars; and if not paid at the expiration of six months, the directors reserve the right to discontinue.

CONTINUED FROM FIRST PAGE.

ceases the burden of the others beyond their proportion, and would be manifestly unjust. The terms "protection to domestic industry" are of popular import; but they should apply under a just system to all the various branches of industry in our country. The farmer or planter, who toils yearly in his fields, is engaged in "domestic industry," and is as much entitled to have his labor "protected" as the manufacturer, the man of commerce, the navigator, or the mechanic, who are engaged also in "domestic industry" in their different pursuits. The joint labors of all these classes constitute the aggregate of the "domestic industry" of the nation, and they are equally entitled to the nation's "protection."

If these views be correct, it remains to inquire how far the tariff act of 1842 is consistent with them. That many of the provisions of that act are in violation of the cardinal principles here laid down all must concede. The rates of duty imposed by it on some articles are prohibitory, and on others so high as greatly to diminish importations, and to produce a less amount of revenue than would be derived from lower rates. They operate as "protection merely" to one branch of "domestic industry," by taxing other branches.

By the introduction of minimums, or assumed and false values, and by the imposition of specific duties, the injustice and inequality of the act of 1842, in its practical operations on different classes and pursuits, are seen and felt. Many of the oppressive duties imposed by it under the operation of these principles range from one per cent. to more than 200 per cent. They are prohibitory on some articles, and partially so on others, and bear most heavily on articles of common necessity, and but lightly on articles of luxury. It is so framed that much the greatest burden which it imposes is thrown on labor and the poorer classes who are least able to bear it, while it protects capital and exempts the rich from paying their just proportion of the taxation required for the support of government. While it protects the capital of the wealthy manufacturer, and increases his profits, it does not benefit the operatives or laborers in his employment, whose wages have not been increased by it. Articles of prime necessity or of coarse quality and low price, used by the masses of the people, are, in many instances, subjected by it to heavy taxes, while articles of finer quality and higher price, or of luxury, which can be used only by the opulent, are lightly taxed. It imposes heavy and unjust burdens on the farmer, the planter, the commercial man, and those of all other pursuits except the capitalist who has made his investments in manufactures. All the great interests of the country are not, as nearly as may be practicable, equally protected by it.

The government in theory knows no distinction of persons or classes, and should not bestow upon some favors and privileges which all others may not enjoy. It was the purpose of its illustrious founders to base the institutions which they reared upon the great and unchanging principles of justice and equity, conscious that, if administered in the spirit in which they were conceived, they would be felt only by the benefits which they diffused, and would secure for themselves a defence in the hearts of the people, more powerful than standing armies and all the means and appliances invented to sustain governments founded in injustice and oppression.

The well-known fact that the tariff act of 1842 was passed by a majority of one vote in the senate, and two in the house of representatives, and that some of those who felt themselves constrained, under the peculiar circumstances existing at the time, to vote in its favor, proclaimed its defects, and expressed their determination to aid in its modification on the first opportunity, affords strong and conclusive evidence that it was not intended to be permanent, and of the expediency and necessity of its thorough revision.

In recommending to congress a reduction of the present rates of duty, and a revision and modification of the act of 1842, I am far from entertaining opinions unfriendly to the manufacturers. On the contrary, I desire to see them prosperous as far as they may be so without imposing unequal burdens on other interests. The advantage under any system of indirect taxation, even within the revenue standard, must be in favor of the manufacturing interest; and of this no other interest will complain.

I recommend to congress the abolition of the minimum principle, or assumed, arbitrary, and false values, and of specific duties, and the substitution in their place of *ad valorem* duties, as the fairest and most equitable tax which can be imposed. By the *ad valorem* principle, all articles are taxed according to their cost or value, and those which are of inferior quality, or of small cost, bear only the just proportion of the tax with those which are of superior quality or greater cost. The articles consumed by all are taxed at the same rate. A system of *ad valorem* revenue duties, with proper discriminations and proper guards against frauds in collecting them, it is not doubted, will afford ample incidental advantages to the manufacturers, and enable them to derive as great profits as can be derived from any other regular business. It is believed that such a system, strictly within the revenue standard, will place the manufacturing interests on a stable footing, and inure to their permanent advantage; while it will, as nearly as may be practicable, extend to all the great interests of the country the incidental protection which can be afforded by our revenue laws. Such a system, when once firmly established, would be permanent, and not be subject to the constant complaints, agitations, and changes which must ever occur when duties are not laid for revenue, but for the "protection merely" of a favored interest.

In the deliberations of congress on this subject, it is hoped that a spirit of mutual concession and compromise between conflicting interests may prevail, and that the result of their labors may be crowned with the happiest consequences.

I refer you to the accompanying report of the secretary of war, for information respecting the present situation of the army, and its operations during the past year; the state of our defences; the condition of the public works; and our relations with the various Indian tribes within our limits or upon our borders. I invite your attention to the suggestions contained in that report, in relation to these prominent objects of national interest.

When orders were given during the past summer for concentrating a military force on the western frontier of Texas, our troops were widely dispersed, and in small detachments, occupying posts remote from each other. The prompt and expeditious manner in which an army, embracing more than half our peace establishment, was drawn together on an emergency so sudden, reflects great credit on the officers who were intrusted with the execution of these orders, as well as upon the discipline of the army itself. To be in strength to protect and defend the people and territory of Texas, in the event Mexico should commence hostilities, or invade her territories with a large army, which she threatened, I authorised the general assigned to the command of the army of occupation to make requisitions for the additional forces from several of the states nearest the Texan territory, and which could most expeditiously furnish them, if, in his opinion, a larger force than that under his command, and the auxiliary aid which, under like circumstances, he was authorised to receive from Texas, should be required. The contingency upon which the exercise of this authority depended has not occurred. The circumstances under which two companies of state artillery, from the city of New Orleans, were sent into Texas, and mustered into the service of the U. States, are fully stated in the report of the secretary at war. I recommend to congress that provision be made for the payment of these troops, as well as a small number of Texan volunteers, whom the commanding general thought it necessary to receive or muster into our service.

During the last summer, the first regiment of dragoons made extensive excursions through the Indian country on our borders, a part of them advancing nearly to the possessions of the Hudson's Bay Company in the north, and a part as far as the South Pass of the Rocky mountains, and the head waters of the tributary streams of the Colorado of the west. The exhibition of this military force among the Indian tribes in those distant regions, and the councils held with them by the commanders of the expeditions, it is believed will have a salutary influence in restraining them from hostilities among themselves, and maintaining friendly relations between them and the United States. An interesting account of one of these excursions accompanies the report of the secretary of war. Under the

direction of the war department, Brevet Captain Fremont, of the corps of topographical engineers, has been employed since 1842 in exploring the country west of the Mississippi, and beyond the Rocky mountains. Two expeditions have already been brought to a close, and the reports of that scientific officer have furnished much interesting and valuable information. He is now engaged in a third expedition; but it is not expected that this arduous service will be completed in season to enable me to communicate the result to congress at the present session.

Our relations with the Indian tribes are of a favorable character. The policy of removing them to a country designed for their permanent residence, west of the Mississippi, and without the limits of the organised states and territories, is better appreciated by them than it was a few years ago; while education is now attended to, and the habits of civilized life are gaining ground among them.

Serious difficulties of long standing continue to distract the several parties into which the Cherokees are unhappily divided. The efforts of the government to adjust the difficulties between them have heretofore proved unsuccessful; and there remains no probability that this desirable object can be accomplished without the aid of further legislation by congress. I will, at an early period of your session, present the subject for your consideration, accompanied with an exposition of the complaints and claims of the several parties into which the nation is divided, with a view to the adoption of such measures by congress as may enable the executive to do justice to them respectively, and to put an end, if possible, to the dissensions which have long prevailed, and still prevail, among them.

I refer you to the report of the secretary of the navy for the present condition of that branch of the national defence; and for grave suggestions, having for their object the increase of its efficiency, and a greater economy in its management. During the past year the officers and men have performed their duty in a satisfactory manner. The orders which have been given have been executed with promptness and fidelity. A larger force than has often formed one squadron under our flag was readily concentrated in the gulf of Mexico, and, apparently, without unusual effort. It is especially to be observed, that, notwithstanding the union of so considerable a force, no act was committed that even the jealousy of an irritated power could construe as an act of aggression; and that the commander of the squadron and his officers, in strict conformity with their instructions, holding themselves ever ready for the most active duty, have achieved the still purer glory of contributing to the preservation of peace. It is believed that at all our foreign stations the honor of our flag has been maintained, and that, generally, our ships of war have been distinguished for their good discipline and order. I am happy to add, that the display of maritime force which was required by the events of the summer, has been made wholly within the usual appropriations for the service of the year, so that no additional appropriations are required.

The commerce of the United States, and with it the navigating interest, have steadily and rapidly increased since the organization of our government, until, it is believed, we are now second to but one power in the world, and at no distant day we shall probably be inferior to none. Exposed as they must be, it has been a wise policy to afford to these important interests protection with our ships of war, distributed in the great highways of trade throughout the world. For more than thirty years appropriations have been made, and annually expended, for the gradual increase of our naval forces. In peace, our navy performs the important duty of protecting our commerce; and, in the event of war, will be, as it has been, a most efficient means of defence.

The successful use of steam navigation on the ocean has been followed by the introduction of war steamers in great and increasing number into the navies of the principal maritime powers of the world. A due regard to our own safety and to an efficient protection to our large and increasing commerce, demands a corresponding increase on our part. No country has greater facilities for the construction of vessels of this description than ours, or can promise itself greater advantages from their employment. They are admirably adapted to the protection of our commerce, to the rapid transmission of intelligence, and to the coast defence. In pursu-

ance of the wise policy of a gradual increase of our navy, large supplies of live oak timber and other materials for ship building have been collected, and are now under shelter and in a state of good preservation, while iron steamers can be built with great facility in various parts of the union. The use of iron as a material, especially in the construction of steamers, which can enter with safety many of the harbors along our coasts, now inaccessible to vessels of greater draught, and the practicability of constructing them in the interior, strongly recommends that liberal appropriations should be made for this important object. Whatever may have been our policy in the earlier stages of our government, when the nation was in its infancy, our shipping interests and commerce comparatively small, our resources limited, our population sparse and scarcely extending beyond the limits of the original thirteen states, that policy must be essentially different now that we have grown from three to more than twenty millions of people—that our commerce, carried in our own ships, is found in every sea, and that our territorial boundaries and settlements have been so greatly expanded. Neither our commerce, nor our long line of coast on the ocean and on the lakes, can be successfully defended against foreign aggression by means of fortifications alone. These are essential at important commercial and military points, but our chief reliance for this object must be on a well-organised efficient navy. The benefits resulting from such a navy are not confined to the Atlantic states. The productions of the interior, which seek a market abroad, are directly dependent on the safety and freedom of our commerce. The occupation of the Balize below New Orleans by a hostile force would embarrass, if not stagnate, the whole export trade of the Mississippi, and affect the value of the agricultural products of the entire valley of that mighty river and its tributaries.

It has never been our policy to maintain large standing armies in time of peace. They are contrary to the genius of our free institutions, would impose heavy burdens on the people, and be dangerous to public liberty. Our reliance for protection and defence on the land must be mainly on our citizen soldiers, who will be ever ready, as they ever have been ready in times past, to rush with alacrity, at the call of their country, to her defence. This description of force, however, cannot defend our coast, harbors, and inland seas, nor protect our commerce on the ocean or lakes. These must be protected by our navy.

Considering an increased naval force, and especially of steam vessels, corresponding with our growth and importance as a nation, and proportioned to the increased and increasing naval power of other nations, of vast importance as regards our safety, and the great growing interests to be protected by it, I recommend the subject to the favorable consideration of congress.

The most important duties of the state department relate to our foreign affairs. By the great enlargement of the family of nations, the increase of our commerce, and the corresponding extension of our consular system, the business of this department has been greatly increased. In its present organization, many duties of a domestic nature, and consisting of details, are devolved on the secretary of state, which do not appropriately belong to the foreign department of the government, and may properly be transferred to some other department. One of these grows out of the present state of the law concerning the patent office, which, a few years since, was a subordinate clerkship, but has become a distinct bureau of great importance. With an excellent internal organization, it is still connected with the state department. In the transaction of its business, questions of much importance to inventors, and to the community, frequently arise, which, by existing laws, are referred for decision to a board, of which the secretary of state is a member. These questions are legal, and the connection which now exists between the state department and the patent office, may, with great propriety and advantage, be transferred to the attorney-general.

In his last annual message to congress, Mr. Madison invited attention to a proper provision for the attorney-general as an "important improvement in the executive establishment." This recommendation was repeated by his successors. The official duties of the attorney-general are of great importance.

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